



AGENDA

CANBY CITY COUNCIL MEETING

March 18, 2015

7:30 PM

Council Chambers
155 NW 2nd Avenue

Mayor Brian Hodson

Council President Tim Dale

Councilor Clint Coleman

Councilor Tracie Heidt

Councilor Traci Hensley

Councilor Greg Parker

Councilor Todd Rocha

CITY COUNCIL MEETING

1. CALL TO ORDER

- A. Invocation
- B. Pledge of Allegiance

2. COMMUNICATIONS

3. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

(This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Each citizen will be given 3 minutes to give testimony. Citizens are first required to fill out a testimony/comment card prior to speaking and hand it to the City Recorder. These forms are available by the sign-in podium. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter.)

4. MAYOR'S BUSINESS

5. COUNCILOR COMMENTS & LIAISON REPORTS

6. CONSENT AGENDA

(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.)

- A. Approval of Minutes of the March 4, 2015 City Council Regular Meeting
- B. New Outlet Liquor License Application for FOB Tap Room, LLC Pg. 1

7. PUBLIC HEARING

- A. Noise Variance Application - Canby Swim Club (May 9, 2015 7:30 AM – 1:00 PM) Pg. 3

8. RESOLUTIONS & ORDINANCES

- A. Ord. 1413, Amending CMC 13.16 and Repealing and Replacing Ordinance 1292, Regulating the Discharge of Wastes to the City of Canby Sanitary and Storm Sewer Systems, Limiting Such Discharges Only to Those of Acceptable Types, Characteristics, or Concentrations, Establishing a System of Waste Discharge Permits and User Fees; Providing for Enforcement; and Declaring an Emergency Pg. 8

9. NEW BUSINESS

10. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

11. CITIZEN INPUT


12. ACTION REVIEW

13. EXECUTIVE SESSION: ORS 192.660(2)(h) Litigation

14. ADJOURN

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Kim Scheafer at 503.266.0733. A copy of this Agenda can be found on the City's web page at www.ci.canby.or.us. City Council and Planning Commission Meetings are broadcast live and can be viewed on CTV Channel 5. For a schedule of the playback times, please call 503.263.6287.

Memo

To: Mayor Brian Hodson & Members of City Council
From: Bret J. Smith, Chief of Police 
CC: Kim Scheafer, General Administration
Date: March 5, 2015
Re: New Outlet / Liquor License Application / FOB Tap Room

I have reviewed the attached OLCC liquor license application for the new business, FOB Tap Room, L.L.C., located at 1901 SW 1st Avenue, Canby, Oregon, 97013.

I have spoken with Chuck Fretwell, the owner of the business, and I was told he will be responsible for the necessary training given to his employees as it relates to their understanding of the pertinent laws involving alcohol sales. Mr. Fretwell said he has scheduled OLCC training for his employees on March 21, 2015.

I recommend the Canby City Council approve the request as it is written in the application.



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

3/3/15
\$100.00
✓ \$500.31
46.

Application is being made for:

LICENSE TYPES

- ☐ Full On-Premises Sales (\$402.60/yr)
☐ Commercial Establishment
☐ Caterer
☐ Passenger Carrier
☐ Other Public Location
☐ Private Club
☒ Limited On-Premises Sales (\$202.60/yr)
☐ Off-Premises Sales (\$100/yr)
☐ with Fuel Pumps
☐ Brewery Public House (\$252.60)
☐ Winery (\$250/yr)
☐ Other: _____

ACTIONS

- ☐ Change Ownership
☒ New Outlet
☐ Greater Privilege
☐ Additional Privilege
☐ Other _____

RECEIVED

MAR 03 2015

CITY OF CANBY

90-DAY AUTHORITY

☐ Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- ☐ Limited Partnership ☐ Corporation ☒ Limited Liability Company ☐ Individuals

CITY AND COUNTY USE ONLY

Date application received: 3-3-2015

The City Council or County Commission:

City of Canby
(name of city or county)

recommends that this license be:

☐ Granted ☐ Denied

By: _____
(signature) (date)

Name: Brian Hodson

Title: Mayor

OLCC USE ONLY

Application Rec'd by: _____

Date: 3-3-15

90-day authority: ☐ Yes ☐ No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① FOB TAP ROOM, LLC ③ _____

② _____ ④ _____

2. Trade Name (dba): FOB TAP ROOM

3. Business Location: 1109 SW FIRST AVE., SUITE D, CANBY, CLACKAMAS, OR 97013
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 1109 SW FIRST AVE., SUITE D, CANBY, OR 97013
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: _____
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☐ Yes ☒ No

7. If yes to whom: _____ Type of License: _____

8. Former Business Name: _____

9. Will you have a manager? ☐ Yes ☒ No Name: _____
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? CANBY
(name of city or county)

11. Contact person for this application: CHUCK FRETWELL
(name) (phone number(s))

(address) (fax number) (e-mail address)

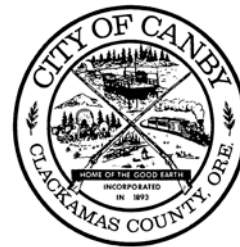
I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Chuck Fretwell Date 3/4/2015 ③ _____ Date _____

② _____ Date _____ ④ _____ Date _____

MEMORANDUM



TO: *Honorable Mayor Hodson and City Council*
FROM: *Kim Scheafer, MMC, City Recorder*
DATE: *March 2, 2015*

Issue: Request for Noise Variance

Synopsis: A request has been received from the Canby Gators Swim Club for a noise variance on May 9, 2015 from 7:30 a.m. – 1:00 p.m. The variance is being requested for the North Lake Physical Therapy Gator Grinder Triathlon. A complaint was received by a Patrol Officer regarding last year's event and the noise level. After the event, the Code Enforcement Officer worked with the Applicant and encouraged them to apply for a noise variance to ensure compliance and notification to surrounding property owners. The Applicant has requested that the DJ turn down the base on their equipment this year.

Per Canby Municipal Code Section 9.48.050B, at least 10 days prior to the public hearing a notice was mailed to property owners within 200' of the location of the variance, published in the Canby Herald, and posted in various locations around the City. Section 9.48.050B allows the Council to approve a variance after certain criteria which would apply to the facts of the requested variance are considered by the Council. In granting a variance, the Council shall consider:

- a. The protection of health, safety and welfare of citizens as well as the feasibility and cost of noise abatement;
- b. The surrounding type of existing land uses;
- c. The acoustical nature of the sound emitted; and
- d. Whether variance from the provision would produce a benefit to the public.

If, after review of the evidence submitted by the applicant and hearing any testimony from the public, the Council chooses to allow the variance as requested, a motion to grant the variance would be appropriate.

Recommendation: Staff recommends Council approve the Noise Variance Application.

Motion: *I move to grant a Noise Variance to Canby Gators Swim Club for their Gator Grinder on May 9, 2015 from 7:30 a.m. – 1:00 p.m.*

CITY OF CANBY NOTICE OF PUBLIC HEARING - NOISE VARIANCE

**Date and Time Requested for
Variances:**

May 9, 2015
7:30 a.m. – 1:00 p.m.

Address of Variance:

1150 S Ivy

Name of Applicant:

Canby Swim Club

A public hearing conducted by the Canby City Council will be held on Wednesday, March 18, 2015 at 7:30 p.m. in the City Council Chambers located at 155 NW 2nd Avenue, Canby, Oregon. The purpose of this hearing is to consider the granting of a Noise Variance to Canby Swim Club for the North Lake Physical Therapy Gator Grinder Triathlon on May 9, 2015 from 7:30 a.m. – 1:00 p.m.

Dated this 12th day of February 2015.

Kimberly Scheafer, MMC
City Recorder

2/10/15

Dear City of Canby,

Here is our noise variance application for the 2015 version of the North Lake Physical Therapy Gator Grinder Triathlon.

The event will be based at the Canby Swim Center and held on Saturday May 9, 2015 from 7:30 AM to approx. 1 PM.

The event is a major fundraiser for the Canby Swim Club (AKA the Canby Gators) a **nonprofit organization**.

This will be the 11th year that we have held this race and we have had music at all but the first 2 or 3 events.

The main sound will be created by a DJ who will play music in the parking lot of the pool during the hours of the race. The music is usually a combination of Classic rock and oldies and is played at a level where carry on a conversation is easy. We are a family event and the music is fitting for such an event, i.e. no profanity, etc.

The permit application asked for addresses within 200 feet of the event. There are not a lot of houses in that area, due to the schools and vacant lots, so I have secured addresses for area within 600 feet of the pool(see attached map)

Please let me know if there are any other questions or concerns.

Thank you for considering our application,

Chip Greendale Race Director
503 516-8922
walden@bctonline.com



CITY OF CANBY
NOISE VARIANCE
APPLICATION
\$75.00

Receipt No: _____
Date Paid: _____
Amount Paid: n/c

Attn: City Recorder - PO Box 930 - 182 N Holly - Canby, OR 97013 - 503.266.0733

Applicant Name Chip Greendale - Race Director Gator Grunder Triathlon

Address 21221 S. Tahyee Rd

City Oregon City State OR Zip 97045 Phone 503-516-8922

Address of Noise Variance Request 1150 S. Ivy St

Name of Property/Business Owner of Variance Request Canby Swim Center

Type of Event Gator Grunder Triathlon

Date(s) of Event 5/9/15 Time of Event 7³⁰ AM - 1⁰⁰ PM Requested Hours of Variance 7³⁰ AM - 1⁰⁰ PM

Date(s) of Event _____ Time of Event _____ Requested Hours of Variance _____

Date(s) of Event _____ Time of Event _____ Requested Hours of Variance _____

Acoustical Nature of Sound to be Emitted Music & Announcements - via a D.J.

Will you be continually present at this activity ☒ Yes _____ No If No is marked, who is to be the contact should the need arise? _____

Additional Comments Please See attached

A list of property owners and their addresses within 200' of the location of the noise variance must be submitted with this application. Canby Municipal Code Chapter 9.48 requires that any person who owns, controls or operates any source which violates provisions of that chapter apply to the City Council for a noise variance.

By signing below, I acknowledge that I have read the attached Canby Municipal Code Chapter 9.48 and understand that violations of this chapter are subject to a fine of \$500. Signature of Police Chief or Designee must be obtained prior to submitting Application for Council Approval.


Signature of Applicant

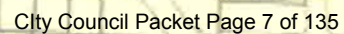

Police Chief or Designee

Mayor

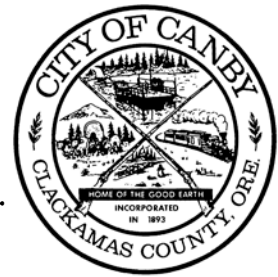
2/10/15
Date

2/10/15
Date

Date



MEMORANDUM



TO: *Honorable Mayor Hodson and City Council*
FROM: *Dave Conner, Wastewater Treatment Plant Supervisor*
DATE: *February 10, 2015*
THROUGH: *Rick Robinson, City Administrator*

Issue: Adoption of Sewer Use Ordinance 1413, and repealing Ordinance 1292.

Synopsis: The City's Sewer Use Ordinance serves as the City's legal authority to regulate discharges to the sanitary sewer, develop capital improvements through system development charges, sets user fees and recover costs associated with the operations of the City wastewater treatment facility. Due to title changes in the City of Canby's Ordinance from Public Works Manager to now Public Works Director and the need to eliminate an outdated Local Limits chart, DEQ required that the City revise our current ordinance to update with new regulations and bring our ordinance in line with current City practices. The proposed ordinance is reorganized, edited and updated to be in line with the newest CFRs and with EPA regulations along with current City practices. Therefore staff has proposed repealing Sewer Use Ordinance 1292 and replacing it entirely with Ordinance 1413.

Rationale: This Ordinance is based on the EPA Model Sewer Use Ordinance and contains standard language updated to reflect current federal and state laws. The City staff followed the states required process by submitting the ordinance to DEQ for review for these minor modifications. The ordinance was approved by DEQ for its content 2/5/15, and then reviewed by Joseph Lindsay for legal clarity. Therefore, staff recommends that Ordinance 1413 be approved as drafted.

Background: The sewer use ordinance covers two major topics. First: General and specific discharge prohibitions protecting the sewer system from pollutants such as hazardous materials, high strength loads, grease, materials that cause blockages and pollutants that are untreatable. Secondly: The ordinance sets up the ability to legally require industries to monitor, report, establish permits, set limits, and bring enforcement actions against users that do not comply with the ordinance or the industrial pretreatment program.

Options: Reject the ordinance or edit the contents. Staff does not recommend this option because of the specific language that has been reviewed and approved by DEQ.

Recommendation: Staff recommends the Council adopt Ordinance 1413.

Recommended Motion: *I move to approve Ordinance 1413, AN ORDINANCE AMENDING CHAPTER 13.16 OF THE CANBY MUNICIPAL CODE (CMC) AND REPEALING AND REPLACING ORDINANCE 1292, REGARDING SEWER USE; AND DECLARING AN EMERGENCY to come up for second reading on April 1, 2015.*

Attached: Ordinance 1413

CITY OF CANBY SEWER USE ORDINANCE 1413



Industrial Pretreatment Program
Wastewater Treatment
Canby, Oregon
April 1, 2015

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CITY OF CANBY ORDINANCE 1413

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ORDINANCE NO. 1413

AN ORDINANCE AMENDING CHAPTER 13.16 OF THE CANBY MUNICIPAL CODE (CMC), REPEALING AND REPLACING ORDINANCE 1292 REGARDING SEWER USE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby wishes to amend its existing sewer ordinance to better align with current law, regulations, and best practices;

THE CITY OF CANBY ORDAINS AS FOLLOWS:

SECTION 1 - GENERAL PROVISIONS

1.1 Purpose and Policy

This Ordinance sets forth uniform requirements for users of Publicly Owned Treatment Works (POTW) for the City of Canby and enables the City to Comply with all applicable State and Federal laws including the Clean Water Act (Act 33 U.S.C. 1251 et seq.), and the General Pretreatment Regulations (40 CFR Part 403) and Oregon Administrative Rules (OAR) Chapter 340. The objectives of this Ordinance are:

- (A) To prevent the introduction of pollutants into the POTW that will interfere with the operation of the POTW;
- (B) To prevent the introduction of pollutants into the POTW, which will pass through the POTW, inadequately treated, into receiving waters or otherwise be incompatible with the POTW;
- (C) To ensure that the quality of the wastewater treatment plant sludge is maintained at a level which allows its use and disposal to be in compliance with applicable statutes and regulations;
- (D) To protect POTW personnel who may be affected by wastewater and sludge in the course of their employment and to protect the general public; and
- (E) To improve the opportunity to recycle and reclaim wastewater and sludge from the POTW;

This Ordinance shall apply to all users of the POTW. The Ordinance authorizes the issuance of wastewater discharge permits; authorizes monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires users reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

1.2 Administration

Except as otherwise provided herein, the Public Works Director or designated representative of the City shall administer, implement and enforce the provisions of this Ordinance.

1.3 Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Ordinance shall have the meanings hereinafter designated;

- (1) Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C.1251 et seq.
- (2) Approval Authority. The Oregon Department of Environmental Quality (DEQ)
- (3) Authorized Representative of the User.
 - A. If the industrial user is a corporation, authorized representative shall mean:
 - i) The president, secretary, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
 - ii) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - B. If the industrial user is a partnership or sole proprietorship: a general partner or proprietor, respectively;
 - C. If the user is a Federal, State or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee.

- D. The individuals described in subsections A-C above may designate another authorized representative if the authorization is in writing. The authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company and the written authorization is submitted to the City.
- (4) Best Management Practice (BMP). Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.1 A and B [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
- (5) Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, within five (5) days at 20° Celsius, usually expressed as a concentration [milligrams per liter (mg/l)].
- (6) Building Sewer. A sewer conveying wastewater from the premises of a user to the POTW.
- (7) Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317) which applies to a specific category of users and which appears in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- (8) Categorical Industrial User. A user regulated by one of EPA's Categorical Pretreatment Standards.
- (9) City. City of Canby Oregon, or the City Council of Canby, Oregon or a designated representative of the City of Canby, Oregon.
- (10) Color. The optical density at the visual wavelength of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.
- (11) Composite Sample. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on either an increment of flow or time.
- (12) Control Authority. The City of Canby, Oregon or designated representative of the City, tasked with administration of this Chapter.

- (13) Continuing Violation. Each day a violation occurs may be considered as a separate violation.
- (14) Cooling Water/Non Contact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product. Cooling water may be generated from any use, such as air conditioning, heat exchangers, cooling or refrigeration to which the only pollutant added is heat.
- (15) Department of Environmental Quality or (DEQ). The Oregon Department of Environmental Quality or where appropriate, the term may also be used as a designation for the Director of the Department or other duly authorized official of the Department.
- (16) Domestic User (Residential User). Any person who contributes sewage wastewater to the municipal wastewater system (17) Environmental Protection Agency or U.S. EPA. The U.S. Environmental Protection Agency or, where appropriate, the Director of the Region 10 Office of Water, or other duly authorized official of said agency.
- (18) Existing Source. A categorical industrial user, the construction or operation of whose facility commenced prior to the publication by EPA of proposed categorical pretreatment standards, which would be applicable to such source if and when the standard is thereafter promulgated in accordance with Section 307 of the Act.
- (19) Existing User. Any non-categorical user which was discharging wastewater prior to the effective date of this Ordinance.
- (20) Grab Sample. A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
- (21) Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump trucks.
- (22) Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act.
- (23) Industrial User. Any person, which is a source of indirect discharge.
- (24) Industrial Pretreatment Coordinator. The person designated by the City to carry out certain duties and responsibilities associated with the pretreatment program. This person is the duly authorized representative of the Public Works Director in accordance with Section 1.3 (47) of this Ordinance.

- (25) Infiltration. Any water other than wastewater that enters the sewage treatment system (including service connections) from the ground, typically from broken pipes, or defective joints in pipes and manhole walls.
- (26) Inflow. Any water from storm water runoff that directly enters the sewage system during or immediately after rainfall. Typical points of entry include, but are not limited to, connections with roof and area drains, storm drain connections, holes in manhole covers in flooded streets, cooling water discharges, catch basins, and drainage from springs and swampy areas.
- (27) Instantaneous Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- (28) Interference. A discharge which alone or in conjunction with a discharge or discharges from other sources, both:
- A. Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
 - B. Therefore is a cause of a violation of any requirement of the City's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II, commonly referred to as (RCRA); and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.
- (29) Local Discharge Limitations. Specific discharge limits developed and enforced by [the City] upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).
- (30) Maximum Allowable Discharge Limit. The maximum concentration (or loading) of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
- (31) Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.

- (32) Municipal Wastewater System or System's. A "treatment works" as defined in Section 212 of the Act, (33 U.S.C. 1292) which is owned by the State or municipality. This definition includes any devices or systems used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes and any conveyances which convey wastewater to a treatment plant. The term also means the municipal entity having the responsibility for the O&M of the system.
- (33) National Pretreatment Standard. National pretreatment standard is defined in 40 CFR 403.3 (j) as any regulation containing pollutant discharge limits promulgated by EPA under Section 307 (b) and (c) of the Clean Water Act applicable to industrial users, including the general and specific prohibitions found in 40 CFR 403.5.
- (34) New Source.
- A. Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307 (c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:
 - i) The building, structure, facility or installation is constructed at a site at which no other source is located; or
 - ii) The building, structure, facility or installation completely replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - iii) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
 - B. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (i), (ii), (iii) above but otherwise alters, replaces, or adds to existing process or production equipment.
 - C. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

- i) Begun, or caused to begin as part of a continuous on-site construction program;
 - (a) Any placement, assembly, or installation of facilities or equipment; or
 - (b) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new sources facilities or equipment; or
 - ii) Entered into a binding contractual obligation for the purchase of facilities or equipment, which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- (35) New User: A “new user” is a user that is not regulated under federal categorical pretreatment standards but applies to the City for a new building permit or occupies an existing building and plans to commence discharge of wastewater to the City’s collection system after the effective date of this Ordinance. Any person that buys an existing facility that is discharging non-domestic wastewater will be considered an “existing user” if no significant changes are made in the manufacturing operation.
- (36) Non-domestic Pollutants. Any substances other than human excrement and household gray water (shower, dish washing operations, etc.). Non-domestic pollutants include the characteristics of the wastewater (i.e., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, odor).
- (37) Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit (including an increase in the magnitude or duration of a violation).
- (38) Permittee. A person or user issued a wastewater discharge permit.
- (39) Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. This definition includes all Federal, state, or local governmental entities.

- (40) pH. A measure of the acidity or alkalinity of a substance, expressed in standard units.
- (41) Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, industrial wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural and industrial wastes, and characteristics of the wastewater [i.e., pH, temperature, TSS, Turbidity, color, BOD, Chemical Oxygen Demand (COD), toxicity, or odor].
- (42) Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to (or in lieu of) introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical or biological processes; by process changes; or by other means (except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard).
- (43) Pretreatment Requirement. Any substantive or procedural requirements related to pretreatment imposed on a user, other than a pretreatment standard.
- (44) Pretreatment Standards or Standards. Prohibited discharge standards, categorical pretreatment standards, and local limits established by the City/POTW.
- (45) Prohibited Discharge Standard or Prohibited Discharges. Absolute prohibitions against the discharge of certain types or characteristics of wastewater as established by EPA, DEQ, and/or the City
- (46) Publicly Owned Treatment Works (POTW). "A treatment works," as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant. The term also means the City.
- (47) Public Works Director. The Person or their duly authorized representative designated by the City to supervise operation of the POTW its Pretreatment Program and carry out certain duties and responsibilities by this chapter.
- (48) Receiving Stream or Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the

State of Oregon or any portion thereof.

- (49) Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- (50) Sewage. Human excrement and gray water (household showers, dish washing operations, etc.)
- (51) Sewer. Any pipe, conduit ditch, or other device used to collect and transport sewage from the generating source.
- (52) Shall, May. "Shall" is mandatory, "may" is permissive.
- (53) Significant Industrial User.
 - A. An industrial user subject to Categorical Pretreatment Standards; or
 - B. Any other Industrial user that:
 - i) Discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blow down wastewater); contributes a process wastewater); or
 - ii) Contributes a process wastestream which makes up (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - iii) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
 - C. Upon a finding that a user meeting the criteria in Subsection B has no reasonable potential for adversely affecting the POTW's operation or for violating any applicable pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a user [in accordance with procedures in 40 CFR 403.8(f)(6) determine that such user should not be considered a significant industrial user.
- (54) Slug Load. Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2 of this Ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations,

Local Limits or Permit conditions.

- (55) Standard Industrial Classification (SIC) Code. A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.
- (56) State. State of Oregon
- (57) Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
- (58) Total Suspended Solids (TSS). The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.
- (59) Toxic Pollutant. One of the pollutants or combination of those pollutants listed as toxic in regulations promulgated by the Environmental Protection Agency under the provision of Section 307 (33 U.S.C. 1317) of the Act.
- (60) Treatment Plant. That portion of the municipal wastewater system designed to provide treatment of sewage and industrial waste.
- (61) Treatment Plant Effluent. The discharge from the POTW into the waters of the State.
- (62) User or Industrial User. A source of indirect discharge. The source shall not include "domestic user" as defined herein.
- (63) Violation. Shall have occurred when any requirement of this Ordinance has not been met; or when a written request of the Public Works Director or other designee, made under the authority of this Ordinance, is not met within the specified time; or when a condition of a permit or contract issued under the authority of this Ordinance is not met within the specified time; or when permitted effluent limitations are exceeded, regardless of intent or accident; or if an industrial user (IU), causes the POTW to violate its NPDES permit, the IU is in violation; or when false information has been provided by the discharger.
- (64) Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- (65) Wastewater Discharge Permit (Industrial Wastewater Discharge Permit). An authorization or equivalent control document issued by the City to users discharging wastewater to the POTW. The permit may contain appropriate pretreatment standards and requirements as set forth in this Ordinance.

1.4 Abbreviations - The following abbreviations shall have the designated meanings:

-	BMP	Best Management Practices
-	BOD	Biochemical Oxygen Demand
-	CFR	Code of Federal Regulations
-	COD	Chemical Oxygen Demand
-	DEQ	Department of Environmental Quality
-	EPA	U.S. Environmental Protection Agency
-	GPD	Gallons Per Day
-	IU's	Industrial Users
-	IWA	Industrial Waste Acceptance
-	LC ₅₀	Lethal Concentration for Fifty Percent (50%) of the Test Organisms
-	l	Liter
-	LEL	Lower Explosive Limit
-	mg	Milligrams
-	mg/l	Milligrams per liter
-	NPDES	National Pollutant Discharge Elimination System
-	O&M	Operation and Maintenance
-	POTW	Publicly Owned Treatment Works
-	RCRA	Resource Conservation and Recovery Act
-	SNC	Significant Non-Compliance
-	SP/SCP	Spill Prevention/Slug Control Plan
-	SIC	Standard Industrial Classification
-	SWDA	Solid Waste Disposal Act (42 U.S.C. 6901)
-	TSS	Total Suspended Solids
-	USC	United States Code

SECTION 2 - GENERAL SEWER USE REQUIREMENTS

2.1 Prohibited Discharge Standards

A. General Prohibitions [CFR 403.5 (a)]

A user may not introduce into a POTW any pollutant(s) which cause Pass Through or Interference. These general prohibitions and the specific prohibitions in this section apply to each User introducing pollutants into a POTW whether or not the User is subject to other National Pretreatment Standards or any national, State, or local Pretreatment Requirements.

B. Specific Prohibitions [CFR 403.5 (b)]

No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (1) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the municipal wastewater system. Included in this prohibition are wastestreams with a closed cup flash point of less than 140° F (60° C) using the test methods prescribed in 40 CFR 261.21.
- (2) Solid or viscous substances in amounts which will cause interference with the flow in a sewer
- (3) Any fat, oils or greases, including but not limited to petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- (4) Any wastewater from a grab sample having a pH less than 6.0 su., or more than 10.0 su., or which may otherwise cause corrosive structural damage to the POTW, but in no case discharges with a pH lower than 5.0, unless the sewerage treatment system is specifically designed to accommodate such discharges.
- (5) Any wastewater containing pollutants, including oxygen-demanding pollutants (BOD,etc), in sufficient quantity (flow or concentration), either singly or by interaction with other pollutants, to pass through or interfere with the municipal wastewater system, any wastewater treatment or sludge process, or constitute a hazard to humans or animals.
- (6) Any noxious or malodorous liquids, gases, or solids or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

- (7) Any substance which may cause the treatment plant effluent or any other residues, sludge, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the system cause the City to be in noncompliance with sludge use or disposal regulations or permits issued under Section 405 of the Act; the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or other State requirements applicable to the sludge use and disposal practices being used by the City.
- (8) Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plants effluent thereby violating the City's NPDES permit.
- (9) Heat in amounts that will inhibit biological activity in the POTW resulting in Interference, but in no case wastewater that causes the temperature at the introduction into the treatment plant to exceed 104° F (40° C).
- (10) Any wastewater containing any radioactive waste or isotopes except as specifically approved by the Public Works Director or other designee in compliance with applicable State and Federal regulations.
- (11) Any pollutants, which result in the presence of toxic gases, vapor or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- (12) Any hauled pollutants, except at discharge points designated by the City in accordance with Section 3.6 of this Ordinance.
- (13) Storm water, surface water, groundwater, artisan well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, cooling water and unpolluted industrial wastewater, unless specifically authorized by the Public Works Director or other designee.
- (14) Any sludge, screening, or other residues from the pretreatment of industrial wastes.
- (15) Any medical wastes, except as specifically authorized by the Public Works Director or other designee in a wastewater permit.
- (16) Any material containing ammonia, ammonia salts, or other chelating agents, which will produce metallic complexes that interfere with the municipal wastewater system.
- (17) Any material identified as hazardous waste according to 40 CFR Part 261 except as specifically authorized by the Public Works Director or other designee.

- (18) Any wastewater causing the treatment plant effluent to demonstrate toxicity to test species during a bio-monitoring evaluation.
- (19) Recognizable portions of the human body or animal anatomy.
- (20) Any wastes containing detergents, surface-active agents, or other substances, which may cause excessive foaming in the municipal wastewater system.
- (21) Wastewater discharging from Dental facilities which contain mercury shall be provided with an approved amalgam separator.
- (22) Any wastewater from dry cleaning machines.

Waste prohibited by this section shall not be processed or stored in such a manner that these waste could be discharged to the POTW.

2.2 Federal Categorical Pretreatment Standards

Users subject to categorical pretreatment standards are required to comply with applicable standards set out in 40 CFR Chapter 1, Subchapter N, Parts 405-471 and incorporated herein.

- (A) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Public Works Director or other designee may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c)
- (B) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Public Works Director or other designee shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).
- (C) A user may obtain a variance from categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
- (D) A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

2.3 State Requirements

State requirements and limitations on discharges to the POTW shall be met by all users which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this Ordinance or in other applicable Ordinances.

2.4 "Local Limits"

(A) Authority to Establish Local Limits: The City is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).

(B) Numerical Local Limits.

No nonresidential user shall discharge wastewater containing restricted substances into the POTW in excess of limitations specified in its Wastewater Discharge Permit or adopted, by resolution, by the City. The Public Works Director or other designee shall publish and revise, from time to time, standards for specific restricted substances. These standards shall be developed in accordance with 40 CFR Section 403.5 and shall implement the objectives of this Chapter. Standards published in accordance with this Section will be deemed Pretreatment Standards for the purposes of Section 307(d) of the Act.

The Public Works Director or other designee may impose mass limitations in addition to (or in place of) the concentration-based limitations above. Where a user is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent or applicable pretreatment standard shall apply.

(C) BMP - The Public Works Director or other designee may develop Best Management Practices (BMPs), by ordinance or in individual wastewater discharge permits, to implement Local Limits and the requirements of Section 2.1. Such BMP's shall be considered local limits and Pretreatment Standards.

2.5 City's Right to Revision

The City reserves the right to establish, by Ordinance or in wastewater permits, more stringent limitations or requirements for discharge to the municipal wastewater system if deemed necessary to comply with the objectives presented in Section 1.1 of this Ordinance or the general and specific prohibitions in Section 2.1 of this Ordinance.

2.6 Special Agreement

The City reserves the right to enter into special agreements with users setting out special terms under which the industrial user may discharge to the system. In no case will a special agreement waive compliance with a pretreatment standard or

requirement. However, the industrial user may request a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15. Industrial users may also request a variance from the categorical pretreatment standard from US EPA. Such a request shall be approved only if the user can prove that factors relating to its discharge are fundamentally different from the factors considered by US EPA when establishing that pretreatment standard. An industrial user requesting a fundamentally different factor variance must comply with the procedural and substantive provisions in 40 CFR 403.13.

2.7 Dilution

No user shall ever increase the use of process water, or in any way attempt to dilute, a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard, or any other pollutant-specific limitation developed by the City.

2.8 Deadline for Compliance with Categorical Standards

Compliance by existing sources with categorical pretreatment standards shall be within three (3) years of the date the standard is effective unless a shorter compliance time is specified in the appropriate subpart of 40 CFR Chapter I Subchapter N.

New sources shall install and have in operating condition, and shall start-up all pollution control equipment required to meet applicable pretreatment standards before beginning to discharge. Within the shortest feasible time (not to exceed 90 days), new sources must meet all applicable pretreatment standards.

2.9 Inflow and Infiltration

All property owners and responsible users identified by the City as contributors to excessive or improper infiltration or inflow into the treatment works shall be advised of their infiltration or inflow problems. All such properties shall be provided a 180-day grace period in which to correct the identified infiltration and inflow problems, said 180-day grace period to extend from the date of notification. By the end of the 180-day grace period, each property owner shall notify the City that corrective actions have been taken or are in progress, and describe the actions being taken.

A property owner failing to notify the City of corrective actions prior to the end of the 180-day grace period shall be subject to termination of service without further notice, and water service shall be immediately discontinued and shut off until the violations shall have been corrected in accordance to federal, state, and City regulations.

In the event any instance of excessive infiltration or inflow into the treatment works of the City shall continue beyond the 180-day grace period, it is hereby declared that such continuing infiltration or inflow is a public nuisance. The

Public Works Director or other designee shall have the right to abate such a public nuisance, to enter upon any private property within the City for such a purpose, and to assess the cost of such abatement as a lien against the property upon which such infiltration and inflow occurs. The Public Works Director or other designee shall assess the cost of such abatement to the property from which infiltration and inflow occurs. An administration fee of \$350.00 dollars or 5% of the cost, whichever is greater, shall be assessed in addition to all cost of abatement. The assessment of all cost shall be levied by the filing of a statement of such costs together with the description of the property or properties to be assessed and the name of the owner(s) thereof with the City Recorder. The City Recorder shall enter the assessment as a lien against such property in the Lien Docket of the City.

No new connections from inflow sources into the water pollution control facilities shall be permitted without the approval of the Public Works Director or other designee.

SECTION 3 - PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

Industrial users shall provide necessary wastewater treatment as required to comply with this Ordinance and shall achieve compliance with all categorical pretreatment standards, local limits and the prohibitions set out in Section 2 above, within the time limitations specified by the Public Works Director or other designee. Any facilities required to pretreat wastewater to a level acceptable to the City shall be provided, operated, and maintained at the industrial user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review, and shall be acceptable to the City before construction of the facility. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying the facility as necessary to produce an acceptable discharge to the City under the provisions of this Ordinance.

3.2 Additional Pretreatment Measures

Whenever deemed necessary, the Public Works Director or other designee may require industrial users to restrict the industrial user's discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the municipal wastewater system and determine the industrial user's compliance with the requirements of this Ordinance.

- (A) Each person discharging, into the municipal wastewater system greater than 100,000 gallons per day or greater than five percent (5%) of the average daily flow in the system, whichever is lesser, may be required by the Public Works Director or other designee to install and maintain, on his property and at his expense, a suitable storable and flow control facility to ensure equalization of flow over a twenty-four (24) hour period. The facility shall have a capacity for at least fifty percent (50%) of the daily discharge volume and shall be equipped with alarms and a rate of discharge controller. A wastewater permit may be issued solely for flow equalization.
- (B) Grease, oil and sand interceptors shall be provided, when, in the judgment of the Public Works Director or other designee, they are necessary for the proper handling of wastewater containing excessive amounts of grease, flammable substances, sand, suspended solids or other harmful substances; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the City and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the owner, at his expense.

- (C) Industrial users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

3.3 Spill Prevention and Slug Control Plans

The City may require any user to develop and implement a spill prevention/slug control plan (SP/SCP). Where deemed necessary by the City, facilities to prevent accidental discharge or slug discharges of pollutants shall be provided and maintained at the user's cost and expense. A spill prevention/slug control plan (SP/SCP) showing facilities operating procedures to provide this protection shall be submitted to the City for review and approval before implementation. The City shall determine which user is required to develop a plan and require said plan to be submitted within 90 days after notification by the City. Each user shall implement its SP/SCP as submitted or as modified after such plan has been reviewed and approved by the City. Review and approval of such plans and operating procedures by the City shall not relieve the user from the responsibility to modify its facility as necessary to meet the requirements of this Ordinance. The plan shall be posted and available for inspection at the facility during normal business hours.

- (A) Any user required to develop and implement an accidental spill prevention plan shall submit a plan which addresses, at a minimum, the following:
 - 1. Description of discharge practices, including non-routine batch discharges;
 - 2. Description of stored chemicals;
 - 3. Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any standards in Section 2.1 through 2.4 of this Ordinance, including any discharge that would violate a prohibition under 40 CFR 403.5(b), or as required by Section 6.6 of this Ordinance; and
 - 4. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and or measures and equipment for emergency response.

- (B) Users shall notify the City Wastewater Treatment Facility immediately after the occurrence of a slug or accidental discharge of substances regulated by this Ordinance. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any affected user shall be liable for any expense, loss, or damage to the POTW, in addition to the amount of any fines imposed on the City on account thereof under State or Federal law.
- (C) Within five (5) days following an accidental discharge, the user shall submit to the City a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this Ordinance or other applicable law.
- (D) Signs shall be permanently posted in conspicuous places on the user's premises advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such discharge with respect to emergency notification procedures
- (E) Preventive Measures

If any user has a spill or uncontrolled discharge of prohibited or restricted substances into the City sewer, the Public Works Director or other designee may require the user's spill prevention and control plan to be resubmitted, with revisions, in order to fully comply with the requirements of this Ordinance. The POTW may also require the industrial user to install, modify equipment and/or make other changes necessary to prevent such discharges as a condition of issuance of and Industrial Waste Discharge Permit or as a condition of continued discharge into the City sewer system. The Public Works Director or other designee may establish a schedule of compliance for construction completion.

The Public Works Director or other designee may require connections or entry points which could allow spills or uncontrolled discharges of prohibited or restricted substances to enter the City sewer systems to be eliminated, labeled, or controlled, so as to prevent the entry of wastes in violation of this Ordinance.

3.4 Tenant Responsibility

Any person who shall occupy an industrial user's premises as a tenant under any rental or lease agreement shall be jointly and severally responsible for compliance with the provisions of this Ordinance in the same manner as the Owner.

3.5 Separation of Domestic and Industrial Wastestreams

All domestic wastewaters from rest rooms, showers, drinking fountains, etc. unless specifically included as part of a categorical pretreatment standard, shall be kept separate from all industrial wastewaters until the industrial wastewaters have passed through a required pretreatment system and the industrial user's monitoring facility. When directed to do so by the Public Works Director or other designee, industrial users must separate existing domestic wastestreams.

3.6 Hauled Wastewater

Septic tank waste (septage) will be accepted into the municipal wastewater system at a designated receiving structure within the POTW area, (when such structures become available), and at such times as are established by the Public Works Director or other designee, provided such wastes do not contain toxic or hazardous pollutants, and provided such discharge does not violate any other requirements established by the City. The Public Works Director or other designee shall issue permits for individual vehicles to use such facilities.

- (A) All waste haulers, regardless of the origin of the hauled wastes, shall be considered "industrial users" for the purposes of this Ordinance and required to apply for a waste hauler permit.
- (B) The discharge of domestic septage wastes from commercial or industrial sites requires prior approval. The Public Works Director shall have authority to prohibit the disposal of such wastes, if such disposal would interfere with the treatment plant operation.
- (C) Fees for the discharge of septage will be established as part of the user fee system as authorized in Section 14.

3.7 Vandalism

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, tamper with or prevent access to any structure, appurtenance or equipment, or other part of the municipal wastewater system. Any person found in violation of this requirement shall be subject to the sanctions set out in Section 10, below.

3.8 Grease Interceptors

The City may inspect grease interceptors (i.e., traps, oil/water separators) to insure proper installation and maintenance. Users may be required to reimburse the City for cleaning and additional maintenance of public sewer mains due to discharge of grease caused by noncompliance with these rules and regulations.

In the event the City, during routine line maintenance, discovers an accumulation of grease in a public line sufficient to restrict the normal flow of waste, upstream IUs shall be inspected. When the City determines which user was responsible for the grease or oil discharge, the user may be required to cease discharge of the prohibited waste, install an interceptor, and shall maintain the interceptor, and may be charged for the cost of cleaning the line.

SECTION 4 - WASTEWATER PERMIT ELIGIBILITY

4.1 Wastewater Survey

When requested by the City of Canby, all industrial users must submit information on the nature and characteristics of their wastewater by completing a wastewater survey prior to commencing their discharge. The Public Works Director or other designee is authorized to prepare a form for this purpose and may periodically require industrial users to update the survey. Failure to complete this survey shall be considered a violation of this Ordinance and subjects the industrial user to the sanctions set out in Section 10.

4.2 Wastewater Permit Requirement

It shall be unlawful for significant industrial users to discharge wastewater into the City's sanitary sewer system without first obtaining a wastewater permit from the Public Works Director or other designee. Any violation of the terms and conditions of wastewater permit shall be deemed a violation of this Ordinance and subjects the industrial user to the sanctions set out in Section 10. Obtaining a wastewater permit does not relieve a permittee of its obligation to obtain other permits required by Federal, State or local law.

The Public Works Director or other designee may require other non-domestic users, non-discharging categorical industrial users and liquid waste haulers, to obtain waste water permits as necessary to carry out the purpose of this chapter.

4.3 Permitting Existing Connections

Any significant industrial user, without a current industrial discharge permit, which discharges industrial waste into the municipal wastewater system prior to the effective date of this Ordinance and who wishes to continue such discharges in the future, shall, within ninety (90) days after said date, apply to the City for a wastewater permit in accordance with Section 4.6 below, and shall not cause or allow discharges to the system to continue after one hundred eighty (180) days of the effective date of this Ordinance except in accordance with a permit issued by the Public Works Director or other designee.

4.4 Permitting New Connections

Any significant industrial user proposing to begin or recommence discharging industrial wastes into the municipal wastewater system must obtain a wastewater permit prior to beginning or recommencing such discharge. An application for this permit must be filed at least ninety (90) days prior to the anticipated startup date.

4.5 Permitting Extra-Jurisdictional Industrial Users

Any existing significant industrial user located beyond the City limits shall submit a permit application, in accordance with Section 4.6 below, within ninety (90) days of the effective date of this Ordinance. New significant industrial users located beyond the City limits shall submit such applications to the Public Works Director or other designee ninety (90) days prior to any proposed discharge into the municipal system. Upon review of such application, the Public Works Director or other designee may enter into a contract with the industrial user which requires the industrial user to subject itself to and abide by this Chapter, including all permitting, compliance monitoring, reporting, and enforcement provisions herein. Alternately, the Public Works Director or other designee may enter into an agreement with the neighboring jurisdiction in which the significant industrial user is located to provide for the implementation and enforcement of pretreatment program requirements against said user.

4.6 Wastewater Permit Application Contents

In order to be considered for a wastewater permit, all industrial users required to have a permit must submit the following information on an application form approved by the Public Works Director or other designee.

- (A) Name, mailing address, and location if different from the mailing address);
- (B) Environmental control permits held by or for the facility;
- (C) Standard Industrial Classification (SIC) codes for pretreatment the industry as a whole and any processes for which categorical pretreatment standards have been promulgated.
- (D) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used at the facility which are or could accidentally or intentionally be discharged to the municipal system;
- (E) Number and type of employees, and hours of operation, and proposed or actual hours of operation of pretreatment system.
- (F) Each product by type, amount, process or processes and rate of production;
- (G) Type and amount of raw materials process (average and maximum per day);
- (H) The site plans, floor plans and mechanical and plumbing plans and details to show all sewers, floor drains, and appurtenances by size, location and elevation, and all points of discharge.

- (I) Time and duration of the discharge.
- (J) Measured average daily and maximum daily flow, in gallons per day, to the municipal system from regulated process streams and other streams as necessary to use the combined wastestream formula in 40 CFR 403.6(e);
- (K) Daily maximum, daily average, and monthly average wastewater flow rates, including daily, monthly, and seasonable variations, if any;
- (L) Wastewater constituents and characteristics, including any pollutants in the discharge which are limited by Federal, State, and local standards, pretreatment standards applicable to each regulated process; and nature and concentration (or mass if pretreatment standard requires) of regulated pollutant in each regulated process (daily maximum and average concentration or mass when required by a pretreatment standard) Sampling and analysis shall be undertaken in accordance with 40 CFR Part 136; and certified that sampling is representative of normal work cycles and expected pollutant discharges.
- (M) A statement reviewed by an authorized representative of the user and certified to by a qualified professional indicating whether or not the pretreatment standards are being met on a consistent basis, and if not, what additional pretreatment is necessary.
- (N) If additional pretreatment and/or O&M will be required to meet the standards, then the industrial user shall indicate the shortest time schedule necessary to accomplish installation or adoption of such additional treatment and/or O&M. The completion date in this schedule shall not be longer than the compliance date established for the applicable pretreatment standard. The following conditions apply to this schedule;
 - 1. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, beginning operation, and conducting routine operation). No increment referred to above shall exceed nine (9) months nor shall the total compliance period exceed thirty-six (36) months.
 - 2. No later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Public Works Director or other designee including, at a minimum, whether or not it complied with the increment of

progress, the reason for any delay, and if appropriate, the steps being taken by the user to return to the established schedule. In no event shall more than nine (9) months elapse between such progress reports.

- (O) Any other information as may be deemed necessary by the Public Works Director or other designee to evaluate the permit application.
- (P) A new source discharger may provide estimates as to the character and volume of pollutants described in Section 4.6 (J)(K)(L).

Incomplete or inaccurate applications shall not be processed and shall be returned to the industrial user for revision.

4.7 Authorized Signatory and Accuracy Certification

All permit applications and industrial user reports must contain the following certification statement and be signed by an authorized representative of the industrial user:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to Public Works Director or other designee prior to or together with any reports to be signed by an Authorized Representative.

4.8 Wastewater Permit Decisions

The Public Works Director or other designee will evaluate the data furnished by the industrial user and may require additional information. Within sixty (60) days of receipt of a complete permit application, the Public Works Director or other designee will determine whether or not to issue a wastewater permit. If no determination is made within this time period, the application will be deemed denied.

If any waters or wastes are discharged, or area proposed to be discharged to the public sewers, which waters contain the substances or possess the

characteristics enumerated in Section 2, and which in the judgment of the Public Works Director or other designee, may have a deleterious effect upon the municipal treatment system, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Public Works Director or other designee may take any of the following actions:

- (A) Reject the wastes,
- (B) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (C) Require control over the quantities and rates of discharge, and/or
- (D) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

SECTION 5 - WASTEWATER PERMIT ISSUANCE PROCESS

5.1 Wastewater Permit Duration

Permits shall be issued for a specific time period, not to exceed five (5) years. A permit may be issued for a period less than five (5) years, at the discretion of the Public Works Director or other designee. Each permit shall indicate a specific date upon which it will expire.

5.2 Wastewater Discharge Permit Contents

Wastewater permits shall include such conditions as are reasonably deemed necessary by the Public Works Director or other designee to prevent pass through or interference, protect the quality of the water body receiving the treatment plants effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

(A) Wastewater Permits shall contain the following conditions:

1. A statement that indicates permit duration, which in no event shall exceed 5 years.
2. A statement that the permit is nontransferable without prior notification to and approval from the City and provisions for furnishing the new owner or operator with a copy of the existing permit.
3. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards in Federal, State and local law.
4. Self-monitoring, sampling, reporting, notification and record keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State and local law.
5. Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond applicable federal deadlines.
6. Requirements to control Slug Discharge, if determined by the Public Works Director or other designee to be necessary.
7. Requirements for immediate reporting of any instance of noncompliance and for automatic re-sampling and reporting within thirty (30) days where self-monitoring indicates a violation(s).

8. Requirements for prior notification and approval by the Public Works Director or other designee of any new introduction of wastewater pollutants or of any change in the volume or character of the wastewater prior to introduction in the system.
9. Requirements for immediate notification of excessive, accidental, or slug discharges, or any discharge which could cause any problems to the system.

(B) Permits may contain, but need not be limited to, the following:

1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulations and equalization;
2. Limits on the instantaneous, daily and monthly average and/or maximum concentration, mass, or other measure of identified wastewater pollutants or properties.
3. Requirements for the installation of pretreatment technology or construction of appropriate containment devices, etc., designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works.
4. Development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or routine discharges.
5. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the municipal wastewater system.
6. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the system.
7. Requirements for installation and maintenance of inspection and sampling facilities and equipment.
8. Specifications for monitoring programs, which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.
9. Compliance schedules for meeting pretreatment standards and requirements.
10. Requirements for submission of periodic self- monitoring or special

notification reports.

11. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified in Section 6.12 and affording the Public Works Director, or representatives, access thereto.
12. Requirements for prior notification and approval by the Public Works Director or other designee of any change in the manufacturing and/or pretreatment process used by the permittee.
13. A statement that compliance with permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the permit.
14. Other conditions as deemed appropriate by the Public Works Director or other designee to ensure compliance with this Ordinance, and state and federal laws, rules, and regulations.

5.3 Wastewater Discharge Permit Appeals

Any person, including the user, may petition the Public Works Director or other designee to reconsider the terms of the permit within ten (10) days of its issuance.

- (A) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- (B) In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative conditions, if any, it seeks to place in the wastewater permit.
- (C) The effectiveness of the permit shall not be stayed pending the appeal.
- (D) If the Public Works Director or other designee fails to act within fifteen (15) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit shall be considered final administrative actions for purpose of judicial review.
- (E) Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a complaint with the Clackamas County Circuit Court, pursuant to ORS Chapter 34, within sixty (60) days of the final administrative decision.

5.4 Wastewater Permit Modifications

The Public Works Director or other designee may modify the permit for good cause including, but not limited to, the following:

- (A) To incorporate any new or revised federal, state, or local pretreatment standards or requirements.
- (B) To address significant alterations or additions to the industrial user's operation, processes, or wastewater volume or character since the time of permit issuance.
- (C) A change in the municipal wastewater system that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- (D) Information indicating that the permitted discharge poses a threat to the City's municipal wastewater system, City personnel, or the receiving waters.
- (E) Violation of any terms or conditions of the wastewater permit.
- (F) Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.
- (G) Revisions of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13.
- (H) To correct typographical or other errors in the permit.
- (I) To reflect a transfer of the facility ownership and/or operation to a new owner/operator.

The filing of a request by the permittee for a permit modification does not stay any permit condition.

5.5 Wastewater Permit Transfer

Permits may be reassigned or transferred to a new owner and/or operator only with prior approval of the Public Works Director or other designee. The permittee must give at least thirty (30) days advance notice to the Public Works Director or other designee. The notice must include provision for furnishing the new owner or operator with a copy of the existing permit and a written certification by the new owner which:

- (A) States that the new owner has no immediate intent to change the facility's operations and processes.

- (B) Identifies the specific date on which the transfer is to occur.
- (C) Acknowledges full responsibility for complying with the existing permit.

Failure to provide advance notice of a transfer renders the wastewater permit terminated.

5.6 Wastewater Permit Revocation

The Public Works Director or other designee may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (A) Failure to notify the City of significant changes to the wastewater prior to the changed discharge;
- (B) Falsifying self-monitoring reports;
- (C) Tampering with monitoring equipment;
- (D) Refusing to allow the City timely access to the facility premises and records;
- (E) Failure to meet effluent limitations;
- (F) Failure to pay administrative penalties;
- (G) Failure to pay sewer charges;
- (H) Failure to meet compliance schedules;
- (I) Failure to complete a wastewater survey;
- (J) Failure to provide advance notice of the transfer of a permitted facility;
- (K) Violations of any pretreatment standard or requirement or any terms of the permit or the Ordinance.
- (L) Failure to provide prior notification of changed conditions pursuant to Section 6.5 of this Ordinance.
- (M) Misrepresentation of, or failure to fully disclose all relevant facts in the wastewater discharge permit application.
- (N) Failure to complete a wastewater discharge permit application.

Wastewater discharge permits shall be voided upon cessation of operations, or transfer of business ownership. All wastewater discharge permits issued to a

particular user are void upon the issuance of a new wastewater permit to that user.

5.7 Wastewater Discharge Permit Reissuance

A user who is required to have a wastewater discharge permit shall apply for a wastewater discharge permit application, in accordance with Section 4.6 of this Ordinance, a minimum of ninety (90) days prior to the expiration of the user's existing wastewater discharge permit. A user whose existing wastewater discharge permit has expired and who has submitted its re-application in the time period specified herein shall be deemed to have an effective wastewater discharge permit until the City issues or denies the new wastewater discharge permit. A user whose existing wastewater discharge permit has expired and who failed to submit its re-application in the time period specified herein will be deemed to be discharging without a wastewater discharge permit.

5.8 Regulation of Wastewater Received from other Jurisdictions

If another municipality, or user located within another jurisdiction, contributes wastewater to the municipal wastewater system, the Public Works Director or other designee shall enter into an inter-municipal or inter-jurisdictional agreement with the contributing municipality or jurisdiction, or enter into a contract with the user(s), in accordance with requirements specified in the City's pretreatment procedures. All inter-jurisdictional agreements made with users outside the City's jurisdiction will be considered a major modification to the City NPDES permit and will require approval from the Department of Environmental Quality.

SECTION 6 - REPORTING REQUIREMENTS

6.1 Baseline Monitoring Reports

- (A) Within one hundred and eighty (180) days after the effective date of a categorical pretreatment standard, or 180 days after the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing significant industrial users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to the municipal system shall be required to submit to the City a report which contains the information listed in paragraph 6.1(B), below. At least ninety (90) days prior to commencement of their discharge, new sources, including existing users which have changed their operation or processes so as to become new sources, shall be required to submit to the City a report which contains the information listed in paragraph 6.1(B). A new source shall also be required to report the method it intends to use to meet applicable pretreatment standards. A new source shall also give estimates of its anticipated flow and quantity of pollutants discharged.
- (B) The information required by this section includes:
1. Identifying Information. The user shall submit the name and address of the facility including the name of the operator and owners;
 2. Permits. The user shall submit a list of any environmental controls permits held by or for the facility;
 3. Description of Operation. The user shall submit a brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such industrial user. This description should include a schematic process diagram which indicates points of discharge to the system from the regulated processes.
 4. Flow Measurement. The user shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the system from regulated process streams and other streams as necessary to allow use of the combined wastewater formula set out in 40 CFR 403.6 (e).
 5. Measurement of Pollutant.
 - (a) The industrial user shall identify the categorical pretreatment standards applicable to each regulated process;

- (b) In addition, the industrial user shall submit the results of sampling and analysis identifying the nature and concentration (and/or mass, where required by federal, state or City standards) of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum and long term average concentrations (or mass, where required by federal, state or City standards) shall be reported. The sample shall be representative of daily operations.
 - (c) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula, in order to evaluate compliance with Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e). This adjusted limit along with supported data shall be submitted to the Control Authority.
 - (d) Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR part 136 and amendments thereto.
 - (e) The Control Authority may allow the submission of a baseline monitoring report, which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
 - (f) The baseline report shall indicate the time, date and place, of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharge to the POTW.
6. Special Certification. A statement, reviewed by an authorized representative of the industrial user and certified to by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operations and maintenance (O&M) and/or additional pretreatment is required in order to meet the pretreatment standards and requirements; and
7. Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards; the shortest schedule by which the industrial user will provide such additional pretreatment and/or O&M shall be established. The completion

date in this schedule will not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 4.6 (N) of this Ordinance.

8. Signature and Certification. All baseline-monitoring reports must be signed and certified in accordance with Section 4.7.

6.2 Compliance Schedule for meeting pretreatment standards

The following conditions shall apply to the compliance schedule required by Section 6.1(B)(7) of this Ordinance:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, commencing and completing construction, and beginning and conducting routine operation).
- B. No increment referred to above shall exceed nine (9) months.
- C. The user shall submit a progress report to the Public Works Director no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule.
- D. In no event shall more than nine (9) months lapse between such progress reports.

6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source, following commencement of the introduction of wastewater into the municipal (POTW) wastewater system, any user subject to such pretreatment standards and requirements shall submit to the Public Works Director a report containing the information described in section 6.1 (B) 4-6 of this Ordinance. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long term production rate. For all other industrial users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 4.7 and 6.1(B)(6)(8).

6.4 Periodic Compliance Reports

- (A) Any user that is required to have an industrial waste discharge permit and performs self-monitoring shall submit to the City semi-annually on the fifteenth day of June and December, unless required on other dates or more frequently by the City, a report indicating the nature and concentration of pollutants in the discharge which are limited by Pretreatment Standards. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the City or the Pretreatment Standard necessary to determine the compliance of the User. The frequency of monitoring shall be as prescribed within the industrial waste discharge permit. At a minimum, users shall sample their discharge at least twice per year. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period for the Discharge according to 40 CFR 403.12 (b)(4).
- (B) The report shall include a record of the concentration (and mass if specified in the wastewater discharge permit) of the pollutants listed in the wastewater discharge permit that were measured and a record of all flow measurements (average and maximum) taken at the designated sampling locations and shall also include any additional information required by this Ordinance or the wastewater discharge permit. Production data shall be reported if required by the wastewater discharge permit. Both daily maximum and average concentration (or mass, where required) shall be reported. If a user sampled and analyzed more frequently than what was required by the City or by this Ordinance, using methodologies in 40 CFR Part 136, it must submit all results of sampling and analysis of the discharge during the reporting period.
- (C) Any user subject to equivalent mass or concentration limits established by the City or by unit production limits specified in the applicable categorical standards shall report production data as outlined in Section 6.3.
- (D) If the City calculated limits to factor out dilution flows or non-regulated flows, the user will be responsible for providing flows from the regulated process flows, dilution flows and non-regulated flows.
- (E) Flows shall be reported on the basis of actual measurements, provided, however, that the City may accept reports of average and minimum flows estimated by verifiable techniques if the City determines that an actual measurement is not feasible.
- (F) Discharges sampled shall be representative of the user's daily operations and samples shall be taken in accordance with the requirements specified in Section 6.

- (G) The City may require reporting by users that are not required to have an industrial wastewater discharge permit if information or data is needed to establish a sewer charge, determine the treatability of the effluent, or determine any other factor which is related to the operation and maintenance of the sewer system.
- (H) The City may require self-monitoring by the user or, if requested by the user, may agree to perform the periodic compliance monitoring needed to prepare the periodic compliance report required under this section. If the City agrees to perform such periodic compliance monitoring, it may charge the user for such monitoring, based upon the costs incurred by the City for the sampling and analyses. Any such charges shall be added to the normal sewer charge and shall be payable as part of the sewer bills. The City is under no obligation to perform periodic compliance monitoring for a user.
- (I) All wastewater samples must be representative of industrial user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of an industrial user to keep its monitoring facility in good working order shall not be grounds for the industrial user to claim that sample results are unrepresentative of its discharge.
 - 1. In the event an industrial user's monitoring results indicate a violation has occurred, the industrial user shall immediately (within 24 hours of becoming aware of the violation) notify the Public Works Director or other designee and shall re-sample its discharge. The industrial user shall report the results of the repeated sampling within thirty (30) days of discovering the first violation.
 - 2. The reports shall indicate the time, date, persons, location of sampling, and methods of analysis, and shall certify that such sampling and analysis is representative of the normal work cycles and expected pollutant discharges to the city sewer system. All sampling and analysis protocol shall be in accordance with 40 CFR Part 136.
 - 3. The Public Works Director or other designee may require reporting by dischargers that are not required to have an industrial discharge permit if information or data is needed to establish a sewer charge, determine the treat ability of the effluent or determine any other factor which is related to the operation and maintenance of the sewer system.
 - 4. Reporting requirements for Industrial Users not subject to categorical Pretreatment Standards will be according to the requirements established in 40 CFR 403.12 (h) and Section 6.4 of this Ordinance.

- (J) All periodic compliance reports must be signed and certified in accordance with Section 4.7 of this Ordinance.

6.5 Report of Changed Conditions

Each industrial user shall notify the Public Works Director or other designee of any planned significant changes to the industrial user's operations or system, which might alter the nature, quality, or volume of its wastewater at least 30 days before the change. Notification of any changes in the listed or characteristic hazardous wastes for which the user has submitted initial notification under 40 CFR 403.12 (p) must also be reported.

- (A) The Public Works Director or other designee may require the industrial user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a waste water permit application under Section 4.6, if necessary.
- (B) The Public Works Director or other designee may issue a wastewater permit under Section 4.8 or modify an existing wastewater permit under Section 5.4.
- (C) No industrial user shall implement the planned changed condition(s) until and unless the Public Works Director or other designee has responded to the industrial user's notice.
- (D) For purposes of this requirement, flow or loading increases of twenty (20%) or greater and the discharge of any previously unreported pollutant shall be deemed significant.

6.6 Reports of Potential Problems

- (A) In the case of an accidental or other discharge, which may cause potential problems for the municipal wastewater system, it is the responsibility of the user to immediately telephone and notify the City POTW Supervisor or Public Works Director or other designee of the incident. This notification shall include the location of discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- (B) Within five (5) days following an accidental discharge, the user shall, unless waived by the Public Works Director or other designee, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the system, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this Ordinance.

- (C) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (A), above. Employers shall ensure that all employees who may cause or suffer such a discharge to occur are advised of the emergency notification procedure.
- (D) Significant Industrial Users are required to notify the Public Works Director or other designee immediately of any changes at its facility affecting the potential for a Slug Discharge. Failure to notify the City of potential problem discharges shall be deemed a separate violation of this Ordinance.

6.7 Reports from Unpermitted Users

All industrial users not subject to categorical pretreatment standards and not required to obtain a wastewater permit shall provide appropriate reports to the City as the Public Works Director or other designee may require.

6.8 Sample Collection

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

- (A) Except as indicated in Section B and C below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by Public Works Director. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- (B) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

- (C) For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 [40 CFR 403.12(b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Public Works Director may authorize a lower minimum. For the reports required by paragraphs Section 6.4 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.
- (D) Samples that are taken by City personnel for the purposes of determining compliance with the requirements of this Ordinance may be split with the discharger if requested (or a duplicate sample provided in the instance of fats, oils and greases) if requested before or at the time of sampling.
- (E) The Public Works Director or other designee may require a discharger to install and maintain at the discharger's expense a suitable manhole in the discharger's branch sewer or other suitable monitoring access to allow observation, sampling and measurement of all industrial wastes being discharged into the City sewer system. It shall be constructed in accordance with plans approved by the City and shall be designed so that flow measuring and sampling equipment may be conveniently installed. Access to the manhole or monitoring access shall be available to City representatives at all times.

6.9 Analytical Requirements

All sample analyses shall be performed in accordance with the procedures set forth in 40 CFR, Part 136 and any amendments thereto or with any other test procedures approved by the Administrator of The Environmental Protection Agency. If there are no approved test procedures for a particular pollutant, then analyses shall be performed using other validated procedures approved by the Public Works Director or other designee and, if the discharge is subject to a Categorical Pretreatment Standard, by the EPA Administrator.

6.10 Monitoring Charges

The City may recover the expenses incurred in collecting and analyzing samples of the industrial user's discharge by adding the City's expenses to the industrial user's sewer charges.

6.11 Timing

Written reports shall be deemed to have been transmitted at the time of deposit, postage prepaid, into a mail facility services by the United States Postal Service.

6.12 Record Keeping

Industrial users shall retain, and make available for inspection, and copying, all records and information required to be retained under 40 CFR 403.12(o), (including documentation associated with Best Management Practices). These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning compliance with this Ordinance, or where the industrial user has been specifically notified of a longer retention period by the Public Works Director or other designee, DEQ or EPA.

6.13 Reporting of Additional Monitoring

If an industrial user subject to the reporting requirements of 40 CFR 403.12(e) or (h), which requires submission of periodic compliance reports, monitors any pollutant more frequently than required by the City, using the procedures prescribed in 40 CFR Part 136, the results of this monitoring shall be included in the report, as required by 40 CFR 403.12(g)(5).

6.14 Notification of Significant Production Change

An industrial user operating under a waste discharge permit incorporating equivalent mass or concentration limits calculated from a production based standard shall notify the Public Works Director or other designee within two (2) business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month. Any user not notifying the Public Works Director or other designee of such anticipated change shall be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long term average production rate.

6.15 Hazardous Waste Notification

- (A) Any user who commences the discharge of hazardous waste shall notify the City, the EPA Regional Waste Management Division Director, of any discharge into the municipal wastewater system of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the municipal wastewater system, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place within 180 days of the effective date of this

rule. Industrial users who commence discharging after the effective date of this rule shall provide the notification no later than 180 after the discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under 40 CFR 403.12 (j) and Section 6.5 of this Ordinance. The notification requirement in this Section does not apply to pollutants already reported under the self-monitoring requirements of 40 CFR 403.12 (b), (d), (e), and Sections 6.1, 6.3, and 6.4 of this Ordinance.

- (B) Dischargers are exempt from the requirements of this paragraph (1), above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous waste, unless the wastes are acute hazardous waste as specified in 40 CFR 261.30 (d) and 261.33 (e). Discharge of more than fifteen (15) kilograms of non-acute hazardous waste in a calendar month, or of any quantity of acute hazardous waste as specified in 40 CFR 261.30 (d) and 261.33 (e), requires a one - time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
- (C) In the case of any new regulations under Section 3001 of the RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the Director, the EPA Regional Waste Management Division Director, and DEQ Solid and Hazardous Waste Division Director, of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- (D) In the case of any notification made under this Section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (E) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Ordinance, a permit issued hereunder, or any applicable Federal or State law.

SECTION 7 - COMPLIANCE

7.1 Inspection and Sampling

Authorized City representatives may inspect and monitor any non-residential user of City water and/or sewer services to determine compliance with the requirements of this Ordinance. The discharger shall allow the City or its authorized representatives to enter upon the premises of the discharger at all reasonable hours, for the purpose of inspection, sampling, records examination, record copying, and photographic documentation. The City shall also have the right to set up on the discharger's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. The right of entry includes, but is not limited to, access to those portions of the premises that contain facilities for sampling, measuring, treating, transporting or otherwise handling waste, and storing records, reports or documents relating to the treatment, sampling or discharge of waste.

- (A) Where a user has security measures in force, which require proper identification and clearance before entry into their premises, the industrial user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the City, State, and US EPA will be permitted to enter, without delay, for the purposes of performing their official duties.
- (B) The entry shall be made at reasonable times during normal operating or business hours unless an emergency situation exists as determined by the Public Works Director or other designee;
- (C) The City may require the industrial user to install monitoring equipment, as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the industrial user at the industrial user's expense. All devices used to measure wastewater flow and quality shall be calibrated periodically to ensure their accuracy.
- (D) Any temporary or permanent obstruction to safe and easy access to the industrial facility to be inspected and/or sampled shall be promptly removed by the industrial user at the written or oral request of the Public Works Director or other designee and shall not be replaced. The costs of clearing such access shall be borne by the industrial user.
- (E) Unreasonable delays in allowing City personnel access to the industrial user's premises shall be a violation of this Ordinance.

7.2 Search Warrants

If the Public Works Director or Authorized Representative has been refused access to a building, structure or property or any part thereof, and has probable cause to believe that there may be a violation to this Ordinance, or that there is a need to inspect as part of a routine inspection program of the City designed to protect the overall public health, safety and welfare of the community, the Public Works Director shall contact the City Attorney who may then apply for an administrative search warrant from a court of competent jurisdiction.

SECTION 8 - CONFIDENTIAL INFORMATION

Information and data on an industrial user obtained from reports, questionnaires, permit applications, permits, and monitoring programs, and from City inspections and sampling activities shall be available to the public without restriction unless the industrial user specifically requests and is able to demonstrate to the satisfaction of the City that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets under applicable State laws.

- (A) Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.
- (B) When requested and demonstrated by the industrial user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available immediately upon request to governmental agencies for uses related to this Ordinance, the National Pollutant Discharge Elimination System (NPDES) program, and in enforcement proceedings involving the person furnishing the report.

SECTION 9 - PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The City shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D) or (H) of this Section) and shall mean:

- (A) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2;
- (B) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (C) Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the City determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- (D) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the City's exercise of its emergency authority to halt or prevent such a discharge;
- (E) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (F) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (G) Failure to accurately report noncompliance; or
- (H) Any other violation(s), which may include a violation of Best Management Practices, which the City determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 10 - ADMINISTRATIVE ENFORCEMENT REMEDIES

This Section authorizes the development and implementation of an Enforcement Response Plan, Industrial Sampling/Inspection Procedures Manual, and any modifications or revisions thereof. Administration of fines for noncompliance shall be contained in the City's Enforcement Response Procedure. These procedures shall also establish a general guideline for establishment of a fine schedule. The City is hereby authorized to adopt rules, procedures and forms to implement the provisions of this chapter.

Any discharger that fails to comply with the requirements of this Ordinance and any rules adopted hereunder or provisions of its industrial waste discharge permit may be subject to enforcement actions as prescribed below in addition to those developed by the City.

10.1 Industrial User Violation Process

Whenever the City determines that a violation of this Ordinance, any permit issued hereunder, or any order issued by the City pursuant to this Ordinance, has occurred or is taking place, it may initiate enforcement action as provided in this Section. In addition, any enforcement action or remedy provided in state or federal law may be employed. If the City believes a violation has occurred or is occurring, a representative of the City shall make a reasonable effort to notify the user of the violation. All violations including the first violation shall receive a written Notice of Violation, and may also incur a monetary penalty.

- (A) All written Notices of Violations shall describe the violation and any potential penalty (monetary or additional pretreatment). The written notice may further require that a response to the violation be submitted to the City within a ten (10) day time period.
- (B) If a written Notice of Violation requires submittal of a response, the response shall include an explanation of the cause of the violation, a plan for its satisfactory correction and prevention of future such violations, and specific corrective or preventive actions. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Public Works Director or other designee to initiate emergency action or other enforcement action without first issuing a Notice of Violation.

10.2 Violation

- (A) A violation of limitations established under this Ordinance, any applicable federal, state or pretreatment standards, or specific requirements of a discharge permit shall constitute a violation of this Ordinance and shall be cause for enforcement action by the City, including but not limited to levying of administrative penalties as described in Section 10 regardless of the intent of the user. Each day of a continuing violation shall constitute a separate offense for purposes of computing the applicable penalty.
- (B) Whenever the City finds that any IU has violated or is violating this Ordinance, a wastewater permit or order issued hereunder, or any other pretreatment requirement, the Public Works Director or other designee shall cause to be served upon said IU a written Notice of Violation. The Notice of Violation shall be delivered to the user's premises or be sent by certified mail to the address of the permit holder on record with the City.

10.3 Violation of Permit Parameters

- (A) For the maximum daily allowable concentration, if the concentration of any single sample (whether grab or a sample within a series) exceed the limitations, a violation will have occurred.
- (B) For the monthly average allowable concentration, if the average of all sample(s) (grab or composite) taken exceeds the limitation, a violation will have occurred. One sample collected may constitute a monthly average violation.

10.4 Additional Violation Parameters

A violation of this Ordinance shall also be deemed to occur:

- (A) For noncompliance with any special reporting requirements established by permit, written request of the City, or as specified by federal pretreatment standards (40 CFR 403.12).
- (B) Pollutants prohibited by this Ordinance are discharged into the system.
- (C) Failure to apply for and obtain a permit prior to discharge of industrial wastewater into the system.

10.5 IU Notice to City of Violation

If sampling performed by an industrial user indicates a violation, the industrial user shall notify the Public Works Director or designate within 24 hours of becoming aware of the violation. The user shall also resample and report the results within 30 days of becoming aware of violation pursuant to 40 CFR 403.12(g)(2). Resampling must continue until it is evident that the discharge is within compliance.

10.6 Consent Orders

The City may enter into Consent Orders, assurance of voluntary compliance, or other similar documents establishing an agreement with an IU not in compliance with any permit parameter or provision of this Ordinance. Such orders will include specific action to be taken by the IU to correct the noncompliance within a time period also specified by the order. Consent Orders shall have the same force and effect as administrative orders and upon issuance, such orders shall be judicially enforceable. Use of a consent order shall not be a bar against, or prerequisite for, taking any other action against the user.

10.7 Show Cause Hearing

The City may order any user, which causes or contributes to violation(s) of this Ordinance, wastewater permits, order issued hereunder, or any other pretreatment requirement, to appear before the City and show cause why a proposed enforcement action should not be taken. Notice shall be served on the IU specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action, and an order that the IU show cause why this proposed enforcement action should not be taken.

The notice of the hearing shall be served personally or by registered mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the IU. Whether or not the IU appears at the hearing, the City may pursue enforcement action following the hearing date. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

10.8 Compliance Orders

When the City finds that an IU has violated or continues to violate the Ordinance, permits or orders issued hereunder, or any other pretreatment requirement, an order may be issued to the IU directing that, following a specific time period, sewer service shall be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged to the sewer. In addition to such Compliance

Orders, the City may require additional self-monitoring for at least ninety (90) days after consistent compliance has been achieved, after which time the self-monitoring conditions in the discharge permit shall control. Issuance of a compliance order shall not be a bar against, or prerequisite for, taking any other action against the user.

10.9 Cease and Desist Orders

When the City finds that an industrial user has violated or continued to violate this Ordinance, any permit or order issued hereunder, or any other pretreatment requirement, the City may issue an order to the industrial user directing them to cease and desist all such violations and directing the user to:

- (A) Immediately comply with all requirements; and
- (B) Take such appropriate remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

10.10 Administrative Fines

- (A) When the City finds that a user has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the City may fine such user in an amount not to exceed two thousand five hundred (\$2,500.00). Such fines shall be assessed on a per violation, per day basis. In the case of monthly or long-term average discharge limits, fines shall be assessed for each day during the period of violation.
- (B) Unpaid charges, fines and penalties shall, after thirty (30) calendar days, be assessed an additional penalty of twenty percent (20%) of the unpaid balance, and interest shall accrue thereafter at a rate of seven percent (7%) per month. A lien against the user's property will be sought for unpaid charges, fines, and penalties.
- (C) Users desiring to dispute such fines must file a written request for the City to reconsider the fine along with full payment of the fine amount within fifteen (15) days of being notified of the fine. Where a request has merit, the City may convene a hearing on the matter. In the event the users appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The City may add the cost of preparing administrative enforcement actions, such as notices and orders, to the fine.
- (D) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

10.11 Emergency Suspensions

The City may immediately suspend an industrial user's discharge and the industrial user's wastewater discharge permit, after informal notice to the industrial user, whenever such suspension is necessary in order to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The City may also immediately suspend an industrial user's discharge and the industrial user's wastewater discharge permit, after notice and opportunity to respond, that threatens to interfere with the operation of the municipal waste water system, or which presents or may present an endangerment to the environment.

- (A) Any industrial user notified of a suspension of its wastewater permit shall immediately stop or eliminate its contribution. In the event of an industrial user's failure to immediately comply voluntarily with the suspension order, the City shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the system, its receiving stream, or endangerment to any individuals. The City shall allow the industrial user to recommence its discharge when the user has demonstrated to the satisfaction of the City that the period of endangerment has passed, unless the termination proceedings set forth in Section 10.12 are initiated against the user.
- (B) An industrial user which is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence prior to the date of any show cause or termination hearing under Section 10.7 and 10.12

10.12 Termination of Permit

In addition to those provisions in Section 5.6 of this Ordinance, any industrial user which violates the following conditions of this Ordinance, wastewater permits, or orders issued hereunder is subject to permit termination:

- (A) Violation of permit conditions.
- (B) Failure to accurately report the wastewater constituents and characteristics of its discharge.
- (C) Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge.
- (D) Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring or sampling.

- (E) Slug loads causing interference, pass through, or damage to human health, the environment, or the treatment plant
- (F) When the facility serviced by the sanitary sewer service is occupied prior to a Certificate of Occupancy being issued.
- (G) When the facility served by the sanitary sewer service does not comply with the provisions of the City's "Construction Standards for Public Works Facilities".
- (H) When the facility served by the sanitary sewer service does not comply with a condition of approval issued by the City Council, Planning Commission, or Site and Design Review Committee.
- (I) When the facility served by the sanitary sewer service is improperly connected to a City utility system or is connected without obtaining the required approvals or without paying the required fees and charges.
- (J) When a user fails to immediately comply with an Administrative Order requiring the immediate halting or elimination of discharge.

Non-complying industrial users shall be notified of the proposed termination of their wastewater permit and be offered an opportunity to show cause under Section 10.7 of this Ordinance, why the proposed action should not be taken.

SECTION 11 - JUDICIAL ENFORCEMENT REMEDIES

11.1 Injunctive Relief.

Whenever an industrial user has violated, threatens to violate, or continues to violate the provisions of this Ordinance, permits or orders issued hereunder, or any other pretreatment requirements, the City may petition the courts for the issuance of a temporary or permanent injunction, as may be appropriate, which restrains or compels the specific performance of the wastewater permit, order, or other requirement imposed by this Ordinance on activities of the industrial user. Such other action as may be appropriate for legal and/or equitable relief may also be sought by the City. A petition for injunctive relief shall not be a bar against, or a prerequisite for taking any other action against the User.

11.2 Civil Penalties

Any industrial user which has violated or continues to violate this Ordinance, any order or permit hereunder, or any other pretreatment requirement shall be liable to the City for a maximum civil penalty of two thousand five hundred dollars (\$2,500) per violation per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each calendar day during the period of this violation.

- A. The court may award reasonable attorney fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.
- B. In determining the amount of civil penalty, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, corrective actions by the industrial user, economic benefit to the user of noncompliance, the compliance history of the user, and any other factors as justice requires.
- C. Where appropriate, the city may accept mitigation projects in lieu of the payment of civil penalties where the project provides a valuable service to the City and the industrial user's expense in undertaking the project is at least one hundred and fifty percent (150%) of the civil penalty.

11.3 Criminal Prosecution

Any industrial user who willfully or negligently violates any provisions of the Ordinance, any orders or permits issued hereunder, or any other pretreatment requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than two thousand five hundred dollars (\$2,500) per violation per day or imprisonment for not more than (1) one year, or both.

- (A) Any industrial user who knowingly makes any false statement, representations or certification in any application, record, report, plan or other documentation filed or required to be maintained pursuant to the Ordinance or wastewater permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this Ordinance shall, upon conviction, be punished by a fine of not more than two thousand five hundred dollars (\$2,500) per violation per day or imprisonment for not more than (1) one year, or both.
- (B) In the event of a second conviction, the user shall be punishable by a fine not to exceed five thousand dollars (\$5,000) per violation per day or imprisonment for not more than (3) three years, or both.

11.4 Remedies Nonexclusive

- (A) A City Enforcement Response Plan will be developed by the City in accordance with 40 CFR Section 403.8 and submitted to the City Attorney for approval and certification. The City will implement the plan after receiving approval from the City Attorney.
- (B) The remedies provided for in this Ordinance are not exclusive. The City may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will be in accordance with the City of Canby's Enforcement Response Plan. However the City may take other action against any user when the circumstances warrant. Further, the City is empowered to take more than one enforcement action against any noncompliant user.

SECTION 12 - SUPPLEMENTAL ENFORCEMENT ACTIONS

12.1 Performance Bonds

The City may decline to reissue a permit to any industrial user which has failed to comply with the provisions of this Ordinance, any orders, or a previous permit issued hereunder unless such user first files a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the City to be necessary to achieve consistent compliance.

12.2 Liability Insurance

The City may decline to reissue a permit to any industrial user which has failed to comply with the provisions of this Ordinance, any orders, or a previous permit issued hereunder, unless the industrial user first submits proof that it has obtained financial assurance sufficient to restore or repair damage to the municipal wastewater system caused by its discharge.

12.3 Water Supply Severance

When an industrial user has violated the provisions of this Ordinance, orders, or permits issued hereunder, the City may sever water service to the industrial user and service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply.

12.4 Public Nuisance

Any violation of the prohibitions or effluent limitations of this Ordinance, permits, or orders issued hereunder is hereby declared a public nuisance and shall be corrected or abated as directed by the City. Any person(s) creating a public nuisance shall be subject to the provisions of the City Ordinance governing such nuisance, including reimbursing the City for any costs incurred in removing, abating or remedying said nuisance.

12.5 Contractor Listing

Subject to other applicable law, industrial users which have not achieved consistent compliance with applicable pretreatment standards and requirements are not eligible to receive contract awards for the sale of goods or services to the City.

SECTION 13 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

13.1 Affirmative Defenses

A user shall have an affirmative defenses in any action brought against it alleging a violation of the general prohibitions, specific prohibitions and this Ordinance, where the user can demonstrate the requirements established in 40 CFR 403.5 (a)(2).

13.2 Upset

- (A) For the purpose of this section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- (B) An upset shall be an affirmative defense to an enforcement action brought for noncompliance with categorical pretreatment standards and requirement if the following conditions are met:
- (C) A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1. The user can identify the cause of the upset.
 - 2. The facility was operating in a prudent and workman-like manner at the time of the upset and was in compliance with applicable O&M procedures; and
 - 3. The user submits the following information to the City within 24 hours of becoming aware of the upset, If this report is given orally, the user must also submit a written report containing such information within five (5) days:
 - a) A description of the discharge and its causes of noncompliance;
 - b) The period of noncompliance including exact dates and time or, if not corrected, the anticipated time the noncompliance is expected to continue;

- c) Steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.
- (4) In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have burden of proof.
- (5) Users will have the opportunity for judicial determination on any claim of upset only in an enforcement action for noncompliance with categorical pretreatment standards.
- (6) User shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

13.3 Prohibited Discharge Standards

An industrial user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general and specific prohibitions in Section 2.1 first paragraph of this Ordinance or the specific prohibitions in Sections 2.1 (B)(2-3), (5-11), (13-20) of this Ordinance if it can prove that it did not know or have reasons to know that its discharge, alone or in conjunction with discharges from other sources would cause pass through or interference and that either: (a) a local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to and during the pass through or interference, or (b) no local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the City was regularly in compliance with its NPDES permit, and in the case of interference, in compliance with applicable sludge use or disposal requirements.

13.4 Bypass

- (A) For the purposes of this section,
 - 1. "Bypass" means the intentional diversion of wastestreams from any portion of a user's treatment facility.
 - 2. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

- (B) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (A), (B) and (C) of this section.
1. If a user knows in advance of the need for a bypass, it shall submit prior notice to the Public Works Director or other designee, at least ten (10) days before the date of the bypass, if possible.
 2. A user shall submit oral notice to the Public Works Director or other designee of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Public Works Director or other designee may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.
 3. Bypass is prohibited, and the Public Works Director or other designee may take an enforcement action against a user for bypass, unless
 - a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - c) The user submitted notices required under paragraph (3) of this section.
- (C) The Public Works Director or other designee may approve an anticipated bypass, after considering its adverse effects; if the Public Works Director or other designee determines that it will meet the three conditions listed in paragraph (B) of this section.

SECTION 14 - MISCELLANEOUS PROVISIONS

14.1 Pretreatment Charges and Fees

The City may adopt reasonable charges and fees for reimbursement of costs of setting up and operating the City's Pretreatment Program which may include:

- (A) Fees for permit applications including the cost of processing such applications;
- (B) Fees for monitoring, inspection and surveillance procedures including the cost of reviewing monitoring reports submitted by industrial users;
- (C) Fees for reviewing and responding to accidental discharge procedures and construction;
- (D) Fees for filing appeals;
- (E) Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Ordinance and are separate from all other fees, fines and penalties chargeable by the City.

14.2 Sewer Connection Charges Levied and Imposed

- (A) What is a Connection Charge?

All sewer connection charges and any other development-related charges shall be imposed in accordance with the City's most current Systems Development Ordinance and implementing resolutions.

- (B) What the Connection Charge is based on

The service connection charge is levied upon a property based upon the existing or intended use of the property at the time of application for connection. If the property is improved, expanded, subdivided or otherwise modified so as to increase the connection charge due from that property, a service connection charge shall be levied for the modified portion of the property based upon connection charges in effect at the time of modification.

- (C) Abutting a Right-of-Way with Sanitary Service

Any dwelling that is on property abutting any street, alley or right-of-way in which there is located a sanitary sewer of the City of Canby and, that by reason of Ordinance, resolution or motion duly adopted by the City

Council, is not required to connect to the sewage system, shall not be subject to the sewer connection charges provided by this Ordinance.

14.3 Rates for Connection Charges

The City Council shall by resolution, establish appropriate rates and methodologies to be charged for connecting to the City sewer system. Such rates shall differentiate between various types of users or activities with discharge into the sewage system.

14.4 Fees for Sewer Service Levied and Imposed

(A) Rates

All users of the City's sewage system shall pay to the City the rates for sewer service as provided by this Ordinance.

(B) Abutting a Row with Service

Any dwelling that is on property abutting any street, alley or right-of-way in which there is located a sanitary sewer of the City of Canby and that, by reason of Ordinance, resolution or motion duly adopted by the City Council, is not required to connect to the sewage system, shall not be subject to the sewer service charges provided by this Ordinance.

(C) When Levied (existing)

When sewer service is initially provided to existing dwellings, said sewer service charge shall first be levied for the month following the first month in which dwellings are permitted to be connected to the sewer.

(D) When Levied (new)

When new dwellings are served by the sewage system, said sewer service charge shall first be levied for the month following the first month in which the dwelling is occupied or utilized by personnel not associated with the construction of the dwelling.

(E) Based on Availability

Sewer service charges are to be levied and imposed based upon the availability of sewer service, and are not dependent upon the owner's schedule for connecting to the sewer system after said system is available.

(F) Minimum Service

The minimum service for an individually billed service shall be equal to the

charge for a residential service.

(G) Who is Billed

Sewer service charges shall be billed to any dwelling showing connection to the City sewer and either water use or electric power use.

(H) Property Owner Responsibility

Sewer service charges may be billed to an occupant; however, the property owner shall be ultimately responsible for all sewer service charges to his property.

14.5 Severability and Conflicts with other Ordinances

If any provision of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

To the extent that an inconsistency exists between the terms of this Ordinance and another existing Ordinance, this Ordinance shall be deemed to preempt the other Ordinance and the terms of this Ordinance shall control.

14.6 Emergency Clause

This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall take effect immediately after final reading and enactment by the Canby City Council.

SECTION 15 - EFFECTIVE DATE

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on March 18, 2015, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on April 1, 2015, commencing at the hour of 7:30 PM in the City Council Chambers located at 155 NW 2nd Avenue, Canby, Oregon

Kimberly Scheafer, MMC
City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 1st day of April 2015, by the following vote:

YEAS _____

NAYS _____

Brian Hodson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder

Approved as to form: _____
City Attorney

Date



City of Canby Bi-Monthly Report
Department: Administration
For Months of: January & February 2015

To: The Honorable Mayor Hodson & City Council
From: Kim Scheafer, MMC, City Recorder
Prepared by: Erin Burckhard, Office Specialist II
Through: Rick Robinson, City Administrator
Date: March 9, 2015

1. **Business Licenses:** Thirty-three (33) new business licenses were issued during the months of January & February 2015. This compares to 20 new licenses issued during January and February 2014. Ten (10) business licenses were inactivated during the months of January and February 2014. This compares to 25 inactivated during the same period in 2014. One hundred fifty-seven (157) business license renewals were sent out, compared to 191 in 2014. The total number businesses licensed with the City of Canby is 1,250 of which 651 have Canby addresses.
2. **Cemetery:**
 - Total property purchases recorded: January = 3 February = 1
 - Total interments recorded: January = 5 February = 3
3. **Public Records Requests:** Four (4) Public Records Requests were processed during January and February.
4. **Training/Meetings:**
 - Kim Scheafer attended an OAMR Records Management Committee Meeting.
5. **Special Animal Permits:** No special animal permits were issued in January and February.
6. **Sidewalk/Park Vending Permit:** No Sidewalk/Park Vending Permits were issued in January and February.
7. **Liquor Licenses Processed:** Thirty-three (33) annual liquor licenses were processed in February.



City of Canby Bi-Monthly Report
Department: Court
January / February 2015

To: The Honorable Mayor Hodson and City Council
From: Melody Thompson, Administrative Supervisor
Through: Judge Rod Grafe
Date: March 5, 2015

Canby Municipal Court has jurisdiction over all city and state law offenses committed within city limits other than felonies. These include: violations, traffic crimes, misdemeanors and City code violations.

Monthly Statistics

Description	January	February
Charges Filed (Major and Minor Traffic)	214	261
Charges Filed (Misdemeanor)	9	11
Traffic Cases Filed	160	195
Misdemeanor Cases Filed	9	11
DUII Cases Filed	0	1
Traffic Cases Disposed	224	177
Misdemeanor Cases Disposed	5	12
DUII Cases Disposed	2	1
Cases Sentenced	70	59
Cases Dismissed	95	93
Cases Referred to Diversion/Deferred Sentence	14	23
Cases Handled by Violations Bureau	90	45
Seat Belt Class Participants	6	4
Traffic Trials with Officers Subpoenaed	9	5
Court Trials	0	1
Jury Trials	0	0
Attorneys Appointed by Court representing Defendants	12	15
Attorneys Retained by Defendant	6	11

Note: Statistic category terms outlined on page 2

New and Continuing Projects/Goals

Val Kraxberger from the City IT department is working with to implement the following over the next 30 days:

- Xpress Bill pay (on-line option for our customers)
- Auto Attendant phone information system enhance customer service.

- Participated in City-wide Earthquake Drill 2/11/15

Future projects:

- Review collection agency proposals collected by the Finance department.
- Revise policies and procedures due to new database system

Training/Meetings

No training or meetings during this reporting period.

Court Programs Authorized by Judge Rod Grafe referred to in statistics:

1. Charges Filed vs. Cases Filed: Multiple charges can be filed on any one defendant from a single traffic stop or arrest. Charges filed reflects this number. Cases filed (also called docket numbers) refers to the unique database number give to a single defendant's matter before the Court whether for violations (including traffic) or misdemeanor crimes.
2. Violations Bureau - Court clerks can accept pleas on a traffic violation, offer a deferred sentence program (if qualified) and set a payment plan. For those charged with a crime a court appearance before the judge is mandatory. Fix it ticket activity will be included in this statistic.
3. Diversion/Deferred Sentence Programs - Involves attending a class, paying a court filing fee and with no convictions during the following six months, the case will be dismissed:
 - Good Drivers Program (no prior traffic convictions in the last five years)
 - 1st Offender - Traffic (if under the age of 18)
 - 1st Offender - Minor in Possession of Alcohol citation
 - 1st Offender – Seatbelt citation

TO: *Honorable Mayor Hodson and City Council*
FROM: *Renate Mengelberg, Economic Development Director*
Jamie Stickel Main Street Manager
THROUGH: *Rick Robertson, City Administrator*

RE: *BI-MONTHLY STAFF REPORT January – February 2015*
ECONOMIC DEVELOPMENT DEPARTMENT

Economic Development Updates

The following projects are funded through Urban Renewal.

Downtown City Property Proposals - The city received four proposals to purchase, or redevelop five city owned properties in downtown Canby. The Council rejected two offers and extended the deadline for more detailed proposals until March 22nd. At least two developers are in the process of fleshing out their ideas for mixed use multistory developments, establishing market demand and determining what it the best fit for downtown Canby. Staff will review proposals and then present their recommendation to the council in Mid-April.

Wholesale and Distribution Summit - The City held its final industry cluster meeting on February 25th. There are 24 wholesale trade companies in Canby. An intimate group had a lively and informative discussion. In general the businesses that attended felt that Canby is a great place to conduct business, that they are doing well and that there are no issues that the city could address.

Natural Products Expo West - City staff successfully nominated two Canby food manufacturers companies; Puddin' River Chocolates, and Nature Fresh Farms to participate in a joint Oregon sponsored Trade show booth and reception to market their delicious chocolate and pumpkin seed products. The Natural Products Expo West Trade show is held in Anaheim, California on March 4 - 8th. It boasts over 2.5 million square feet of space with 2,500 exhibitors and over 67,000 attendees. Participating in this large trade show provides great exposure for these Canby companies at a very affordable cost. Of the six Oregon companies participating, two are from Canby.

- **Business Recruitment and Retention -**

Hawksoft, Inc. outreach visit: City staff, the chamber director and a Greater Portland, Inc. representative met with the president of Hawksoft Inc.. They are a homegrown insurance software company that moved into their new office building on Pine Street in 2011. In just three years, they have grown from 30 to 70 employees. Finding skilled software developers is a challenge for them. The company provides proprietary software solutions and ongoing service to independent insurance agents around the country.

- Project Condor Recruitment Proposal: Staff proposed sites that fit the needs of a small but rapidly growing unmanned aerial vehicle firm looking for a headquarters location. Three other Business Oregon leads were evaluated but were not a fit for Canby during this period.

- Industrial park leads: Site proposals were developed for two companies looking for about 20 and 10 acres respectively. Staff continues to address development related questions.

Decision Ready Sites in the Canby Pioneer Industrial Park - All 13 industrial sites that staff proposed in the Canby Pioneer Industrial Park for new certification or decision ready status by Business Oregon were just approved. Letters will be sent to property owners next week. This recent decision adds to past great news that fourteen other sites were recertified by the Business Oregon Industrial Site program. Staff submitted an extensive application in January, 2014. This designation is helpful in marketing these properties and provides a great deal of information to perspective buyers, property owners and the city. It also provides specific information on what property owners can do to raise their decision ready sites to Certified Site status. Information that provides certainty that sites are development ready or can be ready within 6 months will help set Canby sites apart in a competitive marketplace.

Discover Canby: Newcomers and Visitors Guide - The city received a grant from Clackamas County Tourism and Cultural Affairs to create and have 1000 brochures printed, and received our supply January 8, 2015. These brochures were distributed to strategic locations including the Clackamas County Event Center, the Oregon Trail Interpretive Center in Oregon City, the mobile visitor information center that Mt. Hood Territory (CCTCA) takes to tourism-related events in the region, Swan Island Dahlias, the Canby Area Chamber of Commerce, and many downtown retail businesses and city offices in Canby. Copies of the brochure were also sent to the top Canby employers, and an online version was posted on the city website and Main Street Facebook page. Responses have been very positive so far. Downtown business owners find it a useful tool in promoting the Canby area to their customers. As the summer travel season approaches, we expect this tool to gain even more ground and encourage an economic boost to Canby businesses.

Canby Business Survey 2015 - Every 3 years, the Economic Development Department conducts a survey of Canby businesses to understand the business environment in Canby, and inquire about current challenges that business owners are facing. Findings help refine business assistance efforts and resources, and to develop long-term economic development strategies.

On January 23, 2015, a small advisory committee group of city staff, local business owners, and the Canby Area Chamber of Commerce met to provide input on the questions that are useful and relevant for business owners. Four custom surveys were created and targeted to downtown, industrial, Highway 99E, and home-based businesses. The survey launched on February 20 and will conclude March 20. Paper surveys along with a pre-paid self-addressed envelope were sent to over 600 businesses. The surveys are available on the city website, and periodic email reminders with links to the survey will be sent out as well.

Urban Renewal Annual Report - Staff created an annual report that was presented to the Urban Renewal Agency at their January 21st meeting. The report highlights current and future projects, a financial overview and past accomplishments of the Urban Renewal Program. See report at: <http://www.ci.canby.or.us/URD/documents/2013-14CanbyURAdoptedAnnualReport1.21.15.pdf>

Elm Street Development - With city council support, Economic Development and Planning staff are working with a developer of the ½ city block on W. 1st Avenue where the former Grand Central Station Restaurant was located. Plans for a new expanded restaurant and a retail / office building are under development. The project entails a public private partnership to enable the

creation of a Railroad Quiet Zone in downtown Canby that requires a partial street closure adjacent to the property.

Other - Staff gave luncheon presentations on Economic Development to the Canby Kiwanis and Canby Christian Church.

Main Street Updates

The following projects are funded through Urban Renewal.

Promotion

- **Downtown Canby First Friday** – The February First Friday featured five businesses – the Place To Be Café, Backstop Bar & Grill, Cutsforth’s Thriftway, Puddin’ River Chocolates and Red Door Antiques. These businesses offered food and drink specials, retail specials and live music.

Facebook Statistics

February	35 Page Likes	4,353 Campaign Reach	72 Clicks
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- **First Friday Planning Meeting** - On Tuesday, February 24th, the 2015 First Friday planning meeting was held. This meeting was coupled with a survey that was emailed to downtown businesses to solicit information on ways to increase participation and create more reasons for people to come downtown. It was decided at this meeting to bring food carts and vendors to downtown on First Fridays, create a theme, and to hold First Fridays from just May through December. In the time before First Friday begins again, Canby Main Street will create and distribute information on the event, including ideas for businesses to participate, and distribute throughout downtown.



- **Downtown Draw** - The February Downtown Draw featured the Canby Public Library located at 292 N Holly Street. The Canby Public Library sits in the heart of downtown. In addition to books, the library features programs for adults and children and has become a place where citizens and tourists can find information. The Downtown Draw article provides insights into the businesses and the people who run them. It is featured on the Canby Main Street website, on facebook, and in the e-newsletter.
- **Community Street Dance** - The City of Canby has been meeting with several community partners, including downtown businesses, the Canby Herald, the Canby Chamber, and citizens. This idea originated with Ken Arrigotti, owner of the Backstop Bar & Grill, and has been a community effort. At the February meeting, group members chose the name “Canby’s Big Night Out” to play off of Canby’s Big Weekend, which occurs the same weekend as the street dance. The dance will be held on Friday, August 28th, from 5-10 pm and will feature vendors, live music, activities for children and more!

Organization

- **Oregon Main Street Quarterly Meeting** - On Tuesday and Wednesday, January 20th and 21st, the Oregon Main Street quarterly meeting was held in Salem. Tuesday's meeting focused on Around the State reports. This time allows for cities to report on new and exciting initiatives in each community. The networking provides insights to best practices in each community. The training on Wednesday was a grant writing workshop by Kuri Gill. Kuri works for the State Historic Preservation Office and administers the Certified Local Government Grant among others.
- **Historic Review Board** - The Historic Review Board met on February 2nd to discuss the upcoming Certified Local Government Grant. The board discussed the projects they thought were most important to move the program forward. The objectives discussed and decided on were adding five more intensive level surveys, a national register nomination, public outreach meetings, a brochure, and training for members. The grant was submitted on Friday, February 28th.
- **Main Street Best Practices Research** - Staff began an ongoing research project to study the best practices for Main Street and downtown organizations, both in Oregon and nationwide. A literature review, interviews with experts in the field, and case studies have constituted the examination so far. Mariah Dodson, our Canby RARE participant is leading this project including creating the final report to be presented in the fall.

Design

- **Arts & Culture Advisory Council of Canby** - The Arts and Culture Advisory Council has launched its second "Call for Artists". The council is seeking submissions for sculpture art to add to the plinths on NW 1st Avenue. The Arts & Culture Advisory Council is looking for works that complement Canby's unique identity and the current, permanent public art. The council will seek submissions through Friday, March 13th.
- **Façade Improvement Program** - The Canby Clinic contacted the City as it is interested in moving forward with a blade sign. They have received a Blade Sign Grant Application. The Blade Sign Program partners with property owners and businesses to add a unique and attractive design feature to their buildings and create a vibrant and interesting business district for visitors and residents. The Blade Sign Program offers grants of up to \$200 to purchase hardware and mounting materials and install the blade sign. Their business, located at 452 NW 1st Avenue.





Bi-Monthly Finance Department Report

To: Mayor Brian Hodson & City Council Members
From: Haley Fish, Finance Director
Through: Rick Robinson, City Administrator
Covering: January & February 2015
Compiled by: Suzan Duffy

In addition to providing services and responding to inquiries from both internal and external customers, and performing the tasks listed statistically on the last page, the Finance Department reports the following items of interest this period.

- A **Budget Committee Work Session** was held 2/4/2015 to discuss the budget process and present the current year 2nd quarter **financial status report**.

- Budget materials were assembled and provided to department budget preparers to begin the process of **developing the 2015-2016 budget**. Salary and benefits estimates based on current staffing levels were included. The budget calendar was announced and management meetings with individual departments have begun.

- Assistance was provided in preparing and presentation of the **Urban Renewal Annual Report**, as well as in working with bond counsel to prepare City Council resolutions to update the 2012 series bond documents for immaterial changes due to the evolution of the **Library Civic Center project**.

- Finance has been involved in the review of the proposals for **Downtown Development**.

- A **Request for Proposal for Audit Services** was issued this period. Four proposals were received and will be evaluated during the next bi-monthly period.

- A meeting was held with representatives from a **new collections agency** who will be providing services for utility, Transit tax, and property damage claim collection in those cases when other means have been unsuccessful.

- Additional efforts at **outreach to local businesses** included setting up payment agreements with two business who owe significant amounts in past due utilities in one case, and Transit tax in another. Several larger past due Transit tax accounts have caught up this period as a result of recent efforts. Penalty waivers were approved in appropriate cases.

- **Annual tax reporting** was completed with the issuance of W-2 forms to employees and 1099 forms to independent contractors.

- Discussions were held regarding tracking and calculation of **Advanced Financing District** amounts that will be due as a new housing development gets built out.

- Finance worked with the Fleet Department to coordinate the required documentation to proceed with acquisition of three new Police vehicles under two new **lease/purchase agreements**.

- Finance staff participated in the following meetings, trainings and events this period:

- Caselle webinars and demos
- Caselle User Group meeting
- Safety Committee meetings and training
- OMFOA Certification and Developing Professionals meetings
- Finance Officers Group meeting
- MAFOC meeting
- State of the City Chamber lunch
- Mock interviews at Canby High School
- Retirement celebration for Office Sommer
- Earthquake drill

Statistics this period:

- **Accounts Payable**

Invoices:	587
Invoice entries:	973
Encumbrances:	16
Manual checks:	6
Total checks:	384

- **Payroll**

Timesheets processed:	452
Total checks and vouchers:	524
New hires/separations:	1/3

- **Transit Tax Collection**

Forms sent:	34
Delinquent notices sent:	33
Non-filed notices sent:	210
Collection notices sent:	8
Accounts sent to collections:	0
Accounts opened/closed:	36/24
Returns posted:	814

- **Utility Billing**

Bills sent:	9149
Counter payments:	274
Accounts opened and closed:	148
Lien payoffs:	3
Lien payoff inquiries:	40
Collection notices sent:	33
Accounts sent to collections:	0

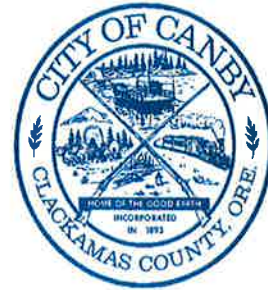
- **General Ledger**

Total Journal entries:	196
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- **Cash Receipts Processed**

Finance:	1226
Utility:	561

CANBY PUBLIC LIBRARY
BI-MONTHLY STAFF REPORT
January – February 2015



TO: Honorable Mayor Hodson and City Council
FROM: Melissa Kelly, Library Director
THROUGH: Rick Robinson, City Administrator
DATE: March 6, 2015

Youth & Family Programming:

The library provides 4 early literacy story times every week: one for toddlers, two for preschoolers, and one for Spanish-speakers. In January & February, we offered 22 English-language storytimes with 333 total attendees, for an average attendance of 15 kids. Weekly Spanish-language storytimes attracted 76 kids to 9 programs, for an average attendance of 8.

Our Youth Services Librarian provided outreach at the Canby Preschool Fair in January, talking with parents and children about preschool, letting the children choose a free book from our giveaway collection, as well as networking with the preschool providers and letting them know what the Library can offer them. In February, we followed that up with a parent education class at Canby Community Preschool, in conjunction with the Clackamas County Early Literacy Grant, providing parents with information about the importance of early literacy skills and school readiness. There were 14 adults and 10 children in attendance. We also used this opportunity to do a soft-launch of our new "1000 Books Before Kindergarten" program, with great success!

January's Family Evening featured "Sing Along With the Wizard of Oz"; sadly, only 8 people attended, but our staff had great fun planning it, anyway! In February we welcomed Portland-based "Trashman and the Noise Band," a recycled-puppet musical extravaganza, which drew in a crowd of 23 people.

We also had good success with passive programming this month: 42 children chose a giveaway book on February 7th's "Take Your Child to the Library Day" and 70 people participated in our "open craft table" making valentines on February 13 and 14.

Teen Programming:

The library has seen a resurgence of teen attendance in the last few months. Our new teen services staff member has made a concerted effort to reach out to the high school and middle

school teachers and librarians to help advertise teen library programs, in addition to speaking with teens directly about what they want to do at the library. January's *Popcorn & A Movie Night*, featuring the new "Godzilla" film, attracted 17 teens. In February the library hosted its second *Anime Night* with "A Letter to Momo," with 18 teens in attendance. Compared to last year's average attendance of 7 teens per event, we are excited to see that our efforts are making a difference in reaching this important demographic. We have also made it easier for teens visiting the library without a parent to check out materials.

Canby Library staff also reached out to teens at the February 26 Clackamas Community College Career Fair, geared to high school and early college students, to promote LINCC's career resources and librarianship as a career.

Adult Programming:

In addition to our monthly book groups, the library provides a range of educational and recreational programs for adult interests.

- The main focus of January and February was the implementation of the *Created Equal: America's Civil Rights Struggle* grant. Thanks to funding from the Gilder Lehrman Institute of American History and the National Endowment for the Humanities, the library was able to offer three film screenings and discussions chronicling the history of the American civil rights movement. The discussions were facilitated by historian Dr. Andrea Lowgren, a professor from Portland Community College. Average attendance was 12 people per film screening, which allowed for great community conversations.
- A workshop on meditation was extremely popular with over 35 people in attendance. We are planning to repeat this program in the fall.
- A workshop on healthy foods, *Eat and Be Joyful: Foods That Heal*, was another big hit with the Canby community, with over 30 people attending.
- Music in the Stacks attracted big crowds in both months. In January, the library welcomed the bluegrass group Roundhouse Band, attracting 39 people. In February, 52 people joined us for a performance of Ghanaian music by Okaidja Afroso, exploring the diverse sounds of the African Diaspora.
- Our fiction & history book groups continue to have great attendance with lively discussions. (Mark your calendars for March 17, when local author Lois Leveen will read from & discuss her new book *Juliet's Nurse*, also the book club's selection for further discussion on March 19.)

Computer Classes & E-Reader Services:

The library offered a six-week progressive computer course in English, as well as a five-week course in Spanish, on topics ranging from Navigating the Internet, to Social Media, to Microsoft Word. The English-language computer classes were all fully attended with a wait list, so we are planning another set soon. Currently we can only accommodate 6 people (or up to 8 if 2 people can bring their own laptops) due to our limited number of computers and overall space

constraints. The Spanish-language classes were taught to a core group of 3 participants.

E-reader appointments were in high demand in January & February following the gift-giving season. Staff provided one-on-one, hour-long consultations to 7 patrons in January and 4 in February.

Community Involvement:

Volunteers donated 382 hours in January and February, helping the library by pulling holds, sorting, shelving, processing and mending books, and assisting with library programming and events. We also called on our volunteers to assist with our non-fiction shifting project this period. An additional 100+ hours were donated by Friends of the Library volunteers who provide ongoing management of the Book Garden store.

Other Staff Highlights:

1000 Books Before Kindergarten: The library just launched a new early literacy program that encourages parents & caregivers to read, write, talk, rhyme, sing and play with their 0-5 year old children to promote language and pre-reading skills. This program dovetails perfectly with our county-wide Early Literacy Grant outreach. As described above, our Youth Services staff are reaching out to parent groups to teach them how to develop early literacy skills with their children. 1000 Books Before Kindergarten provides a framework for parents to follow, including instructional materials & tips for parents, and fun incentives & book prizes for children.

Grants: The library received a number of grants in January and February in support of early childhood education programs. We received a \$1,000 grant from Target Corporation. Roth's Heating & Cooling provided a \$250 grant to purchase prize incentives for the 2015 Summer Reading program. Following my presentation to the Canby Kiwanis, the Kiwanis Foundation awarded the library a \$1,000 grant for our new 1000 Books Before Kindergarten program. Canby Telcom followed up with a matching \$1,000 grant to further fund the 1000 Books program.

The library also applied for a StoryCorps grant to bring audio recording equipment and interview training to our library, with the goal of capturing Canby's rich agricultural history in a collection of oral history interviews with local farmers, laborers, and their descendants. Only 10 of over 300 applicants received the StoryCorps grant; however, our application was in the top 17 of 300 so we've been offered a runners-up prize. Although we will not be granted recording equipment for our community to keep, StoryCorps staff will be visiting Canby to train our librarians in oral history interview techniques! I'm very proud of my staff for submitting such a competitive application and look forward to creating our own local history program based on the training we will receive.

New Website: The library is building a new website using Weebly, to replace our current State

Library-hosted site that will no longer be supported as of July 1. The site map and structure have been developed and now content is being migrated. Our goal is to have new website ready by mid-May, in time for focus-groups with library patrons before our go-live date at the end of June.

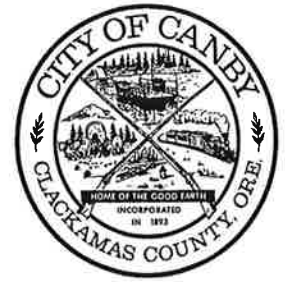
Shifting Project: Library staff and volunteers undertook a large-scale shifting project to integrate our homework center resources into the non-fiction collection. Subject encyclopedias can now be found alongside other materials on the same subject, which we hope will improve our patron's ability to locate the items and therefore increase circulation. New subject signage and display shelves have also been added to encourage browsing.

Library District Advisory Committee: The Library District Advisory Committee (LDAC) is reviewing the allocations that cities take from district funds for administrative services, facilities, IT, etc. The goal is to get a clear picture of what allocations are considered appropriate use of district funds, and curb any inappropriate allocations. LDAC is also interested in changing the IGA language to allow capital expenses to be paid with district funds, following the defeasance of the Estacada tax district in June 2015. This work is currently in progress.

Library Foundation Update: 2 new members joined the Library Foundation this period. Overall, the Foundation board is laying the groundwork for a future fundraising campaign. In the meantime, I have reached out to a local fundraising consultant with significant experience and set a meeting with city administrators to discuss our project later this month.

New Library Planning: Library staff continue to meet frequently to discuss our needs in the new library. We have developed a number of helpful documents to share with the design team regarding our space and programming needs. We are currently working with the architect to provide detailed collection statistics for space planning. I've also registered to attend *Library Journal's* Design Institute in May.

PLANNING & DEVELOPMENT SERVICES JAN/FEB 2015 BI-MONTHLY REPORT



TO: *Honorable Mayor Hodson and City Council*
FROM: *Bryan Brown, Planning Director*
DATE: *March 6, 2015*
THROUGH: *Rick Robinson, City Administrator*

The following report provides a summary of the Planning and Development Services activities for the months of January and February, 2015. Please feel free to call departmental staff if you have questions or desire additional information about any of the listed projects or activities. This report includes planning activities, a listing of land use applications and development site plan review coordination projects for building permits.

Planning Activities

- 1. North Redwood Master Plan.** Stakeholder Advisory Committee interviews with property owners were held and a summary posted. The first meeting of the Technical Advisory Committee also met and a summary of the input posted. Project Memo #2 was posted in February describing the Existing Conditions of the planning area. A first draft of Project Memo #3 was posted at the end of February describing "Development Rights and Best Development Practices by our Walker/Macy consultants.
- 2. Dog Park.** Dog Park maintenance volunteers have been secured for one-year of maintenance. High School construction class has agreed to install several components. The City Administrator is reviewing information provided by staff and will get back with instructions on how best to proceed. Direction about the dog park is occurring within the larger overall park maintenance challenge the City faces as it moves forward with new park projects.
- 3. Community Development Block Grant Application.** An application for funding through the Community Development Block Grant program was submitted in November for constructing sidewalks, drainage, and street curbing along a portion of NE 10th Avenue. We heard that our proposed Phase II portion of the entire desired NE 10th Avenue improvements has been approved for funding for July 1, 2015 program start. It is a \$200,000 grant with \$190,000 of actual construction money to be awarded.
- 4. Quiet Zone.** A city partnership with a developer looking at redeveloping property at the Northwest corner of NW 1st Avenue & N Elm Street will move the City forward on submitting our design improvements to gain approval for a Quiet Zone in the downtown area for the freight train horns. Our proposal will be submitted in March. The City will be establishing a public parking lot within the public right-of-way of NW 1st Avenue west of N Elm Street supplemented by 15 feet of additional property from the developer. We expect to see a concept plan soon by the developer on the south half of this block soon. The Federal Railroad Administration (FRA) will be the ultimate decision maker after a diagnostic team review of our proposal once on the quiet zone.
- 5. Miscellaneous Activities.**
 - Staff attended 2 Pedestrian & Bike Committee meetings, and one Park &

Recreation Board meeting, and well as 3 Traffic Safety Committee meetings.

- We negotiated a new 5-year copy machine lease for our departmental use.
- We worked with the City Administrator to iron out administrative policies for implementing the Street Tree spacing standard as it applies to collecting the street tree fee.
- We assisted in the review of City property development proposals
- Attended a meeting requested by Clackamas County Transportation officials to discuss possible future improvements to Arndt Road to I-5 and what was needed to allow consideration of alternative route study
- We met to assist in getting the Civic building process moving

6. Land Use Application Activity

7. Pre-Application Conference(s) Held:

- Sprague N Maple Subdivision (Planning only pre-pre-application)
- Library/Civic Center – Got utility relocation decision rolling and set pre-app date

8. Land Use Applications Submitted January 1 – February 28, 2014:

City File #	Applicant	Project	Address
FP 15-01	Crisp Homes	Final Plat for lot line adjustment	888 & 890 NW 2 nd Ave
FP 15-02	Pine Meadow Subdivision	Final Plat for 19 lot subdivision	1732 N Pine St
SUB & MLP 15-01	Oregon Development West – Partition & Faist 6 Subdivision	Minor Partition to create 3 parcels and subdivision of one parcel into 30 lots	1866 SE 13 th Ave
MLP 15-02	Jason Bristol	Minor Partition to create 2 parcels	486 S Knott
PRA 15-01	Hope Village	Construct 6 single story duplexes on single parcel	1401 S Fir Street
SN 15-01	Canby ReStore	Wall Signs	411 S Redwood St
SN 15-02	Biscuits Café	Wall Signs	1477 SE 1 st Ave
SN 15-03	Cricket Cell Phones	Wall Signs	207 SW 1 st Ave

9. Pre-Construction Conference(s) Held:

- Canby Bus Storage Lot

10. PC Meeting Items Reviewed:

- Minor Land Partition for one flag lot for single family home. **(MLP 14-04)**

- Subdivision and Minor Land Partition application from Tom Kendall – Oregon Development West to partition 10.19 acres into 3 parcels and create a 30 lot subdivision. **(SUB & MLP 15-01)**
- Northwoods request for Extension of Development Agreement and Conceptual Development Plan applicable to Phase III & IV
- Minor Land Partition for 1.22 acre developed parcel to create two parcels **(MLP 15-02)**

11. Site Plans Submitted for Zoning Conformance and Authorization for Release of County Building Permit January 1 through February 28, 2015

City File #	Applicant	Project	Address
SP 15-01	NW Carriage Court	Enclose Carport	728 NW 5 th Dr
SP 15-02	Darren Michel	Patio Cover	1168 SE 17 th Ave
SP 15-03	Cheryl Batton	Remodel Garage for livable space	176 SW 11 th Ave
SP 15-04	St Patrick's Church	Remodel Bathroom	498 NW 9 th Ave
SP 15-05	Troy Marsh Concept Custom Homes	Single Family Residence	2190 N Locust St
SP 15-06	Pacific Lifestyle Homes	Dinsmore Phase II Model Home	315 SE 13 th Pl
SP 15-07	Troy Marsh Concept Custom Homes	Single Family Residence	1120 N Elm St
SP 15-08	Will Snyder White River Homes	Single Family Residence	1060 N Hawthorne Ct
SP 15-09	Global Pacific Environmental	Demo 3 houses	140, 166, 194 NE 2 nd Ave
SP 15-10	Curt McLeod	Canby WWTP Improvements	1480 N Territorial
SP 15-11	John Roehm	Replace Manufactured Home	835 SE 1 st Ave
SP 15-12	John Fox White River Homes	Move Garage Door	630 N Dahlia Place
SP 15-13	Mary Lane	Detached Dwelling Unit in rear yard	1350 N Birch St
SP 15-14	Tom Scott	Demolition home and pole barn	1552 S Ivy St
SP 15-15	Raymond Bell Bells Construction	Duplex on flag lot	455 S Knott

SP 15-16	Shannon Preston	Biscuits Café Commercial Remodel	1477 SE 1 st Ave
SP 15-17	Argonaut Investment	Canby Square new retail building	1075 SW 1 st Ave

14. Active Permit Finals by Clackamas County, January 1 – February 28, 2015

City File #	Final Date	Applicant	Project	Address
SP 14-76	2/2/15	William Monical	Methodist Church Reroof	1520 N Holly
SP 13-71	1/14/15	Potter's Industries	Tenant Improvement	350 NW Baker Dr
SP 14-72	2/10/15	Canby School Dist.	Concession, dugouts, team room	721 SW 4 th Ave
SP 14-64	2/4/15	Tom Kendall	Home Addition	1866 SE 13 th Ave



City of Canby Bi-Monthly Report
Department: Police
January / February 2015

To: The Honorable Mayor Hodson and City Council
From: Chief Bret Smith
Through: Rick Robinson, City Administrator
Date: March 5, 2014

Monthly Statistics

Description	December 2014	January 2015
Calls for Service - Patrol	1268	1199
Calls for Service – Code Enforcement	25	21
Custodies/Arrests	43	60
All Incident Reports	178	183
Traffic Citations	277	292
Traffic Accidents	13	11
Traffic Complaints	4	11
Parking Citations	4	2
False Alarm Calls	27	24
Abandoned Vehicle / Parking Complaint Calls	20	28
Animal Complaints	8	10
Other Ordinance Viol. Complaints	6	3

Note: Reporting period is 1 month behind bi-monthly period to capture up to date statistics.

Traffic Program

See individual statistics attached.

K-9 Program

See individual statistics attached.

Department Training Attended

December 2014

Schoenfeld	Dec 1-5	NRA Patrol Rifle Instructor Course	DPSST
Wasserberger	Dec 8-10	Street Crimes	Hillsboro
M. Smith Green	Dec 8-12	MRE Train the Trainer	?
Farmer Holstad	Dec 10-12	Third Degree Interview & Interrogation	PSTC
TET	Dec 11	TET Training	TBA
Ethington Schoenfeld Christman	Dec 18	Glock Armorers Course	Brooks, OR

M. Smith Holstad			
All Officers	Dec 30	First Aid/CPR/AED	Canby PD

January 2015

All Officers	Jan 23-26	MRE / RMS Training	PSTC
Schoenfeld	Jan 26-30	NRA Law Enforcement Handgun Instructor	DPSST

February 2015

All Officers	Feb 4	Taser/Firearms Maintenance Training	Canby PD
All SGT's	Feb 10-15	MRE / RMS Training	PSTC
All Officers	Feb 16-24	EVOC	PIR

Meetings & Events Attended – Chief Smith / Lt. Tro

- Canby Adult Center lunch service – Monthly
- Trost & Knight Elementary Schools - Terrific Kids Presentation
- C800 Meeting / Fire & Law Services (CCOM - Clackamas County Dispatch)
- Deposition Preparations
- Sgt. Tim Sommer City Retirement gathering
- Baker School Assembly featuring Peace Advocate & Author
- Traffic Safety Team/Traffic Calming Discussion
- Monthly Police Chiefs – Milwaukie PD
- Pre-Budget Meeting – Haley Fish and Rick Robinson
- VISTA Demonstration
- Canby Rotary - Lt. Tro
- Group MacKenzie & Albany Police Facility Tour
- Canby Diversion Pilot Meeting – Canby PD
- Serve Lunch – Knight School
- Mike Leloff – PPB Commander
- Chief Rod Lucich – Molalla PD
- Mid-Management Lunch
- Canby City Managers meetings
- Chief Mike Reese Retirement – PPB
- LT. Davis- CCSO
- Jamie Sanderson – Motorola
- CIS Law Enforcement Annual Training
- RegJIN PAC, Trainer, Technical (IT) meetings

MONTHLY TRAFFIC SAFETY REPORT
CANBY POLICE DEPARTMENT

Officer Jeremy Holstad
Report for Month of December 2014

CITATIONS

Traffic Officer:	33	Patrol:	244
Total:	277		

DUII ARRESTS

Traffic Officers:	0	Patrol:	3
Total:	3		

TRAFFIC CRIMES

Traffic Officer:	0	Patrol:	1
Total:	1		

TRAFFIC COMPLAINTS

Traffic Officers	3	Patrol:	1
Total:	4		

TRAFFIC CRASHES

Injury (Patrol): 2
Non-Injury (Patrol): 1
Hit & Run (Traffic Officer): 1
Hit & Run (Patrol): 0
Total Crashes: 4

TRUCK INSPECTIONS

Traffic Officer: 0

MONTHLY TRAFFIC SAFETY REPORT
CANBY POLICE DEPARTMENT

Officer Jeremy Holstad
Report for Month of January 2015

CITATIONS

Traffic Officer:	50	Patrol:	242
Total:	292		

DUI ARRESTS

Traffic Officers:	0	Patrol:	2
Total:	2		

TRAFFIC CRIMES

Traffic Officer:	0	Patrol:	2
Total:	2		

TRAFFIC COMPLAINTS

Traffic Officers	5	Patrol:	6
Total:	11		

TRAFFIC CRASHES

Injury (Patrol): 1
Injury (Traffic Officer): 1
Non-Injury (Traffic Officer): 1
Non-Injury (Patrol): 3
Hit & Run (Traffic Officer): 1
Hit & Run (Patrol): 4
Total Crashes: 11

TRUCK INSPECTIONS

Traffic Officer: 0

December 2014 Monthly K9 Report

Prepared by Sergeant Tim Warren
Dec 31st, 2014

K-9 Activity - K9's tactically supported officer safety assisting officers with building, open area searches, and narcotic searches. K9's attended monthly training and K9 Officers hosted training to participating Clackamas County agencies.

MONTHLY SUMMARY:

Officer Warren / Freddy– 2 deployments First: vehicle search on traffic stop, for CCSO. K9 Alerted on driver rear seat locating heroine needles and smoking straws. Also with this were Suboxin pills, a controlled substance. Second: vehicle search on traffic stop for CCSO, K9 alerted to Gas tank door, Door was covered in Meth residue, Interior of vehicle contained Meth paraphernalia.

Officer Farmer / Deorak – No December deployments, However, Officer Farmer was called out several times as a precaution or cancelled while enroute.

Concerns / goals

Both K9's are OPCA State certified through Oct 2015. Continuing K9 raffle. Will begin search for new K9 in February anticipating purchase in May/June 2015.

January 2015 Monthly K9 Report

Prepared by Sergeant Tim Warren
Feb 11th, 2015

K-9 Activity - K9's tactically supported officer safety assisting officers with building, open area searches, warrant services, and narcotic searches. K9's attended monthly training and K9 Officers hosted training to participating Clackamas County agencies.

MONTHLY SUMMARY:

Officer Warren / Freddy— 2 deployments First: vehicle search on traffic stop for CPD. K9 Alerted on Passenger floor area bag locating meth. K9 alerted again in truck bed on two marijuana pipes. Second: vehicle search on traffic stop for CPD, K9 alerted under driver seat and under passenger seat. Suspects dumped their meth on the floor which K9 alerted to. Officer had to recover larger crystals by hand. K9 also alerted on an eyeglass case containing residue bags, syringes, and a spoon with meth crystal on it.

Officer Farmer / Deorak – Two deployments First: Officer Farmer and Deorak assisted CCSO on a residential burglary. K9 Deorak searched the house locating no one. Second: Officer Farmer and Deorak assisted CCSO on a warrant service at a property outside Canby with multiple residences on it. A house, trailer, and tent were searched. Three suspects were taken in custody.

Both of these calls the K9 was used as a tool to enhance officer safety.

Concerns / goals

New K9 handler selection. Researching vendors for new K9 and have a tentative local training school set up for the new team. OPCA State seminar is this April, both K9's registered. Both K9 fund raisers earned a total \$8,920 to purchase new K9.

Canby Swim Center Report

From: Eric Laitinen, Aquatic Program Manager

Date: March 6, 2015

Re: Bi-monthly Report

The Canby Swim Center is gearing up for the spring. Our spring swimming lessons are already going with two hours each evening of lessons, up from one hour in the winter. Also in progress is our first of two spring Penguin Club sessions. Penguin Club is our junior swim team a step between lessons and swim team, the second session will begin in April. Nathan has had the first couple of classes in the TRI-IT class, teaching triathletes swimming skills. The TRI-IT class will continue right up until the Canby Gator Grinder triathlon here at the Canby Swim Center on Saturday May 9th.

High school swimming has now finished up the season. Canby High School finished up with six Canby Swimmers at state this year. The Canby Gators are on the final stretch of the short course (winter season). They have three different state meets with different age groups then age group sectional and senior sectional along with a season ending all team Tall Timbers league meet. There is a short break and then the Canby Gators start the Long Course or summer swim season in April.

The spring is busy with swimming lessons, both public and second grade school lessons. March also has a plethora of extra public swims. In March Canby elementary school has nine no school days including spring break. This means the Canby Swim Center has special public swims 1:00-3:00pm March 9, 19, 20, 23-27 and 30th. During spring break our staff will also be teaching a lifeguard class.

Revenue and Attendance are still strong for the year. Revenue is up \$13,500.00 for the year and was up \$2,300.00 for January and February. Attendance is up 6,800 for the year, but was down about 100 for the months of January and February. It looks like it was down due to a change in dates for school swimming lessons. All the numbers are still very strong for the year and I think it will finish out very similar to last year. The Canby Swim Center and its programs are staying very busy throughout the year.

FROM : ERIC LAITINEN, AQUATIC PROGRAM MANAGER
 SUBJECT: Attendance Numbers for January 2015
 DATE: March Report 2015

CANBY SWIM CENTER January	ADMIT 2014	ADMIT 2015	PASS 2014	PASS 2015	TOTAL 2014	TOTAL 2015	YTD TOTAL 13-14	YTD TOTAL 14-15
MORNING LAP	78	68	350	351	428	419	2166	2697
ADULT RECREATION SWIM	18	37	445	420	463	457	3092	3800
MORNING WATER EXERCISE	64	84	470	425	534	509	2945	3084
PARENT/ CHILD	0	0	0	0	0	0	628	918
MORNING PUBLIC LESSONS	44	128	0	0	44	128	3537	4122
SCHOOL LESSONS	260	230	0	0	260	230	260	1780
NOON LAP	129	143	300	340	429	483	2094	2640
TRIATHLON CLASS	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	279	270	20	24	299	294	2481	3126
PENGUIN CLUB	0	0	0	0	0	0	1169	943
CANBY H.S. SWIM TEAM	0	0	913	742	913	742	2044	1760
CANBY GATORS	0	0	873	608	873	608	5382	5579
MASTER SWIMMING	0	0	50	55	50	55	200	256
EVENING LESSONS	702	734	0	0	702	734	6072	7241
EVENING LAP SWIM	65	36	70	23	135	59	824	810
EVENING PUBLIC SWIM	313	325	22	16	335	341	2321	2861
EVENING WATER EXERCISE	108	70	38	41	146	111	726	625
ADULT LESSONS	0	0	0	0	0	0	0	126
GROUPS AND RENTALS	194	169	0	0	194	169	1514	1529
OUTREACH SWIMMING	0	0	0	0	0	0	516	526
TOTAL ATTENDANCE	2,254	2,294	3,551	3,045	5,805	5,339	37971	44423

FROM : ERIC LAITINEN, AQUATIC PROGRAM MANAGER
 SUBJECT: Attendance Numbers for February 2015
 DATE: March Report 2015

CANBY SWIM CENTER February	ADMIT 2014	ADMIT 2015	PASS 2014	PASS 2015	TOTAL 2014	TOTAL 2015	YTD TOTAL 13-14	YTD TOTAL 14-15
MORNING LAP	72	17	278	350	350	367	2516	3064
ADULT RECREATION SWIM	15	28	393	444	408	472	3500	4272
MORNING WATER EXERCISE	76	78	361	358	437	436	3382	3520
PARENT/ CHILD	44	84	0	0	44	84	672	1002
MORNING PUBLIC LESSONS	96	123	0	0	96	123	3633	4245
SCHOOL LESSONS	776	526	0	0	776	526	1036	2306
NOON LAP	114	91	200	287	314	378	2408	3018
TRIATHLON CLASS	12	14	0	0	12	14	12	14
AFTERNOON PUBLIC	162	168	4	6	166	174	2647	3300
PENGUIN CLUB	0	0	72	136	72	136	1241	1079
CANBY H.S. SWIM TEAM	0	0	217	347	217	347	2261	2107
CANBY GATORS	0	0	995	880	995	880	6377	6459
MASTER SWIMMING	0	0	60	43	60	43	260	299
EVENING LESSONS	772	974	0	0	772	974	6844	8215
EVENING LAP SWIM	49	47	45	18	94	65	918	875
EVENING PUBLIC SWIM	280	326	32	46	312	372	2633	3233
EVENING WATER EXERCISE	82	75	30	43	112	118	838	743
ADULT LESSONS	0	0	0	0	0	0	0	126
GROUPS AND RENTALS	329	400	0	0	329	400	1843	1929
OUTREACH SWIMMING	0	0	0	0	0	0	516	526
TOTAL ATTENDANCE	2,879	2,951	2,687	2,958	5,566	5,909	43537	50332



January and February, 2015
Monthly Reports

Facilities – Dan Mickelsen
Fleet Service – Joe Witt
Parks Department – Jeff Snyder
Public Works – Jerry Nelzen

Facility Maintenance
January & February 2015
Prepared by Dan Mickelsen

As January rolled in I was just finishing up the loose ends of our backflow testing on the City buildings. Then went right into annual Fire Extinguisher testing and recerts. I'm glad to say that I used local businesses to do both extinguisher and backflow tests. Thanks to Valerie Kraxberger for her help with the Fire Extinguishers. We are all in the budget process for next year and I think I've got that behind me now with any luck. On a high note, having changed one of our vendors I was able to cut 6K from that line alone.

Police Dept; 3 w/o requests. Some lobby furniture was assembled and hung a new AED cabinet for emergency use. Towards the tail end of January I check the HVAC temps and the evidence room had dropped over twenty degrees, not good! A vent fan had failed and the unit was just blowing more cold or un-heated air. I removed the fan and took the unit off line and tracked down a replacement motor/fan. It was 7 to 10 days out. So I was sitting at my desk with the fan and wondered if I could limp it through. With a little oil on some bearings and working it back and forth it got the thing to turn again. The big problem still was all the end play in the motor. So I fashioned a gasket out of fiber glass insulation to allow for end play. I reinstalled the thing and bazinga it worked. I received the new fan but wanted to see how long the old one would last. One month and one day I put it to rest, it was done. All's well now though. 25.75 hrs total.

Adult Center; 4w/o requests. I was called on three separate occasions to repair the ADA swing doors. A fella that kind of sits in the lobby told me that someone had got their electric chair hung up in the door and just kept pouring the coal to it, then the door died. Luckily I can pull fuses and reboot the closer without any real damage to the unit. I called in the installer of the roof that's only five or so years old as we had a leak. There is a weird spot on the roof where the building was added onto and I did not want to make things worse with a repair. Their guys came out and took care of it and the damming up of water is minimal. 20.5 hrs total

City Hall; 3 w/o requests. City Hall was tagged with graffiti. After filing a police report I got it covered up immediately, then came back the following day with a top coat. Some plumbing issues were dealt with along with emptying out an archive file room full of files and cabinets. 13.25 hrs total

Transit Dept; 2 w/o requests. Moved several bulletin boards and art work to install a new TV mount and TV. This will allow for better onsite training. I seem to have a knack for repairing the fare boxes for the buses, so repairs were made to yet another fare box. 5 hrs total

Finance; only 1 w/o request. Repairs were made to the locks on an interior security door. 2 hrs total.

Library; 3 w/o requests. ADA signage was installed at or near all exterior doors. On several occasions I was called for repairs on the ADA accessible front door. Between the heavy south winds and kids using it as a playground the door has seen better days. Adjustments were made and it keeps holding on. I also gathered materials for a TV/announcement screen to be installed.

After running the cat 5 cable and having an electrician get power to the site its ready to go. 18 hrs total.

Cemetery; 4 w/o requests. After the City took over operation of the Cemetery in December, I was asked to do some repairs and upgrades. I installed new lighting in the office, hung mini blinds on the windows and installed a more efficient heater. Repairs were also made to the mausoleum service door, it was in bad shape. 24 hrs total.

Shop complex; 10 w/o requests. Repairs were made to flag pole lighting, downspouts, door locks, overhead doors, sink drains and the timer on the pressure washer. Service was done on all of the fleet shop heaters as well as the metal, paint and sign shops. The first week of February we had fierce winds from the south. One of the man doors was so badly damaged it was ridiculous. I was going to get to the bottom of the damage! After viewing surveillance camera footage one person walked through the door and headed across the yard. Before the door could close the wind whipped it open so had that if you blinked you'd miss it. Well it proceeded to do it 35 more times before someone noticed it. After lots of jacking, re-screwing and a set of new hinges I got the door and jamb back working again. I installed a shock chain with a spring to keep this from happening again. 41.25 hrs.

Public Works; Things must be picking up as I did 10 E.S.C. site inspections for approval as well as taking care of a couple other off site problems. I also attended one pre application conference. 23 hrs total.

Fleet Services

Bi-Monthly Report : January / February 2015

Prepared by Joe Witt, Lead Mechanic

January 2015

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	1	\$82.50	\$31.33	\$0.00	\$113.83
Adult Center	0	\$0.00	\$0.00	\$372.27	\$372.27
Collections	4	\$1,826.25	\$551.63	\$268.39	\$2,646.27
Facilities	1	\$56.25	\$0.00	\$126.81	\$183.06
Fleet Service	1	\$0.00	\$44.00	\$0.00	\$44.00
Parks	5	\$2,175.00	\$143.75	\$201.75	\$2,520.50
Police	32	\$12,412.50	\$4,520.00	\$3,583.83	\$20,516.33
Streets	13	\$3,780.00	\$2,302.28	\$1,124.93	\$7,207.21
Transit (CAT)	21	\$7,414.25	\$5,481.66	\$4,121.22	\$17,017.13
Wastewater Treatment	8	\$1,406.25	\$577.05	\$324.16	\$2,307.46
Total Work Orders Processed for the Month	86	Totals*			\$52,928.06

*Total includes labor, materials and fuel for all departments:

February 2015

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	2	\$675.00	\$276.72	\$20.15	\$971.87
Adult Center	1	\$86.25	\$104.95	\$274.53	\$465.73
Collections	3	\$2,553.75	\$6,607.45	\$301.09	\$9,462.29
Facilities	2	\$562.50	\$95.51	\$70.65	\$728.66
Fleet Service	1	\$100.00	\$0.00	\$69.20	\$169.20
Parks	8	\$1,582.50	\$432.44	\$383.93	\$2,398.87
Police	31	\$11,043.75	\$5,547.85	\$4,512.04	\$21,103.64
Streets	8	\$2,861.25	\$2,216.68	\$1,385.85	\$6,463.78
Transit (CAT)	22	\$6,538.35	\$2,025.21	\$4,529.06	\$13,092.62
Wastewater Treatment	2	\$348.75	\$18.48	\$171.17	\$538.40
Total Work Orders Processed for the Month	80	Totals*			\$55,395.06

*Total includes labor, materials and fuel for all departments:

Fleet Service Highlights

Fleet Service working with other City Departments kept the City's vehicles and equipment on the road performing their duties.

Parks Maintenance
By Jeff Snyder, Parks Maintenance Lead Worker
January – February 2015

Park Renovations

Canby Wildcats softball organization submitted a proposal to install new backstop fabric and foul ball protection above the bleachers at Maple St. Park. The organization also submitted a maintenance program for the newly added park assets. Pacific Fence and Wire Co. has already installed the new post for the project. Stay tuned for future project updates.

At Northwood track B the new garbage can was delivered for the boulevard green space. We are currently waiting for the installation of the Dogipot dispenser and for the garbage can to be secured to the cement pad.

We are in the process of obtaining a quote to replace the restroom fixtures at the Community Park restroom. The 1950's fixtures are at the end of their useful life.

Park Maintenance

The playgrounds were topped with 100cy of EWF (engineered wood fiber) all the equipment was inspected in anticipation of higher use in this mild weather. The challenge of removing storm debris in the parks has subsided. The department has been removing storm debris since last October. A hazard tree was removed from the bluff above the Community Park wetlands trail by NW tree Specialist. Trees were removed that blew down across the Fish Eddy trail also. Trees and shrub beds have also been trimmed in the more manicured parks. Some shrub beds have even received a fresh coat of bark dust. With the mild weather we have been experiencing, the mowing season had already started by the last week of February. Fertilizer with moss control has also been started to be applied. Building maintenance and lighting issues were addressed as found.

The Parks Department spent 11 hours addressing graffiti and vandalism the last two months.

Regular maintenance was **not** performed at the 37 areas the Parks Department is responsible for, the Adult Center, Arneson Gardens Horticultural Park, Baker Prairie Cemetery, City Hall, Community Park (River), CPIP sign, Disc Golf Park, Eco Park natural area, Faist V property, Holly & Territorial welcome sign property, Hulbert's welcome sign property, Klohe Fountain, Library, South Locust Street Park, Logging Road Trail and Fish Eddy/Log Boom property, Maple Street Park, Nineteenth Loop Natural area, Northwood Estates Park, Police Department landscaping, Simmitt Property, Skate Park, Shop Ground, Swim Center, Legacy Park, Territorial Estates Future CLC Park, Finance Building, Transit Bus Stop, Triangle Park, Vietnam Era Veterans Memorial, Wait Park & Willow Creek Wetlands, 6.1 acre off of Sequoia, Knights Bridge right of way, WWTP property, Berg Parkway right of way and S. Teakwood right of way.

Meetings attended

We all attended the city safety meeting.

I met with Mr. Robinson and Haley to discuss the 2015-2016 budget.

I attended the budget kick off meeting.

I wrote and turned in Ben's evaluation for review and submitted my employee portion of my evaluation.

For your Information

The Parks Department is responsible for 222 acres of property.

PUBLIC WORKS DEPARTMENT

Prepared by: Jerry Nelzen

January – February 2015

1. Streets:

The Streets Department assumed the all the duties for Zion Memorial Cemetery on January 1, 2015 and we spent the majority of the first two weeks landscaping and removing debris. Repaired potholes around town and re-rocked and graded two alleyways.

The crew received and located 63 locates for January.

Streets	Total Hours
Street Sweeping	33.5
Street Sweeping Maintenance	29.5
Street Maintenance	156
Sidewalks	1
Street Sign Manufacturing	1
Street Sign Maintenance	6
Street Sign Installation	8
Street Light Repair	17
NW 1 st Ave Landscape	28.5
NE/NW 2 nd Ave Landscape	24.5
Cinema Parking Lot Landscape	26
Landscape Assistance Worker	26
Cemetery	261
Tree Trimming	2
Tree Removal	1
Vactor Usage	3

2. Sewer and Storm System:

The crew repaired sewer lateral at 2175 Country Club Drive and removed all root blockage on N Ivy Street between NE 13th and NE 14th Avenues. The collections crew are cleaning our sewer system around town for the NPDES permit, which allows us to clean from October through April. Inspected sewer system at Dinsmore Estates phase II. Installed catch basin and storm line on N Baker Drive.

Sewer	Total Hours
Sewer Cleaning	44
Sewer Maintenance/Repair	10
Sewer TV'ing	11
Sewer Laterals	42
Lift Station Maintenance	5
Locating Utilities	59

Sewer Inspections	3
Vactor Usage	25
Storm	
Catch Basin Maintenance/Repair	67
Drywell Maintenance/Repair	9
Storm Line Maintenance/Cleaning/Repair	237.5
Vactor Usage	15
Drying Beds	2

3. **Street Sign/Trees/Lights:**

The crew during the month of January repaired several signs around town. The crew fixed or repaired 17 street lights. Removed one tree and trimmed tree limbs out of the right-of-way to prevent any problems with the flow of traffic.

4. **Miscellaneous:**

The crew took down all the Christmas decorations at Wait Park and NW 1st and NW 2nd Avenues.

Miscellaneous	Total Hours
Meetings	25
Equipment Cleaning	10
Other	216.5

February 2015

1. Streets:

The crew removed several beaver dams in the Willow Creek wetlands area. Removed landscape debris out of our right-of-way between N Locust & N Juniper Streets along with removal of brush and briars on SE 1st Avenue. Had contractor make repairs on two of the brick planters on NW 2nd Avenue. Finalized bid process for SW 4th Avenue improvements and hired GT General Contractors, work to begin in March.

The crew received and located 68 locates for February.

Streets	Total Hours
Street Sweeping	91.5
Street Sweeper Maintenance	2
Street Maintenance	246.5
Street Sign Manufacturing	52
Street Sign Maintenance	16
Street Sign Installation	12
NW 1 st Avenue Landscape	56.5
NW 2 nd Avenue Landscape	29.5
Cinema Parking Lot Landscape	11
Landscape Assistance	10
Street Light Repair	27
Cemetery	126
Tree Removal	6
Vactor Truck	3

2. Sewer and Storm System:

The Collections crew storm line on N Baker Drive and inspected sewer new sewer main line in Dinsmore Estates phase 2.

Sewer	Total Hours
Sewer Cleaning	69
Sewer Maintenance/Repair	4
Sewer TV'ing	10
Sewer Laterals	8
Lift Station Maintenance	6
Locating Utilities	62
Sewer Inspections	5
Vactor Usage	37
Drying Beds	2
Storm	

Catch Basin Maintenance	1
Storm Line Maintenance/Repair	76.5
Vactor Usage	2

3. **Street Sign/Trees/Lights:**

During the month the crew fixed 8 street lights and fixed/repaired 14 street signs. Installed new speed feedback sign on SE 13th Avenue near S Teakwood Street. Removed two trees in our right-of-way.

4. **Miscellaneous:**

Miscellaneous	Total Hours
Meetings	48
Warehouse Maintenance	2
Plan Preview for Subdivisions	6
Equipment Cleaning	13
Schooling/Training	23
Other	16.5

Tech Services Department
Bi-Monthly Report for January and February, 2015

From: Amanda Zeiber
Prepared By: Bryce Frazell
Date: March 6, 2015
17 Pages Total

KEY

Sessions (total number of sessions to your site)

Users (total number of unique users to your site – unduplicated visits)

Pageviews (total number of pages viewed on your site – repeated views of a single page are counted)

Pages per Session (average number of pages viewed per session - repeated views of a single page are counted)

Average Session Duration (average session length of all users)

Bounce Rate (percent of single-page sessions – visits in which a person left your site from the entrance page)

New Sessions/Users (percent of total users who came your site for the first time)

Google Analytics Summary Report: January and February 2015

<u>Audience Overview</u>	<u>January</u>	<u>February</u>
Sessions (site visits)	7,817	7,093
Users/unique visitors	5,528	4,964
Page Views	19,835	17,886
Pages per Session	2.54	2.52
Average Session Duration	1 min 54 sec	1 min 57 sec
Bounce Rate (% of single-page visits)	51.41%	51.26%
New Sessions/Users	59.92%	58.47%

Jan/Feb numbers are up from Nov/Dec report. Feb numbers slightly less than Jan; likely due to shorter month

<u>New Vs. Returning Visitors</u>	<u>January</u>	<u>February</u>
New	59.97%	58.49%
Returning	40.03%	41.51%

<u>Browser & Operating System</u>	<u>Jan - Top 5 Browsers Used:</u>	<u>Feb - Top 5 Browsers Used:</u>
	Chrome (35%)	Chrome (35.6%)
	Internet Explorer (24.56%)	Safari (24.01%)
	Safari (24.09%)	Internet Explorer (23.67%)
	Firefox (9.4%)	Firefox (10.09%)
	Android Browser (4.86%)	Android Browser (5.39%)

Top 5 Browsers staying consistent and only changing rankings within the group

<u>Overview (Technology)</u>	<u>January</u>	<u>February</u>
Desktop	57.40%	56.49%
Mobile	35.38%	35.68%
Tablet	7.22%	7.82%

Desktop Computers and Mobile Phones continue to lead when accessing the website

<u>Mobile Devices (top 3)</u>	<u>January</u>	<u>February</u>
	Apple iPhone (35.02%)	Apple iPhone (33.80%)
	Apple iPad (12.58%)	Apple iPad (12.86%)
	Not Set (8.83%)	Not Set (7.74%)

Same top 2 mobile devices as Nov/Dec report. Gray section of pie chart is "all others"

<u>Landing Pages (formerly Pages Visited): Top 5</u>	<u>January</u>	<u>February</u>
	City Home Page	City Home Page
	CAT Home Page	CAT Home Page
	Swim Center Home Page	Swim Center Home Page
	Job Openings	Job Openings
	CAT Routes	CAT Routes

Top 5 visited pages keeping very consistent with rankings changing occasionally

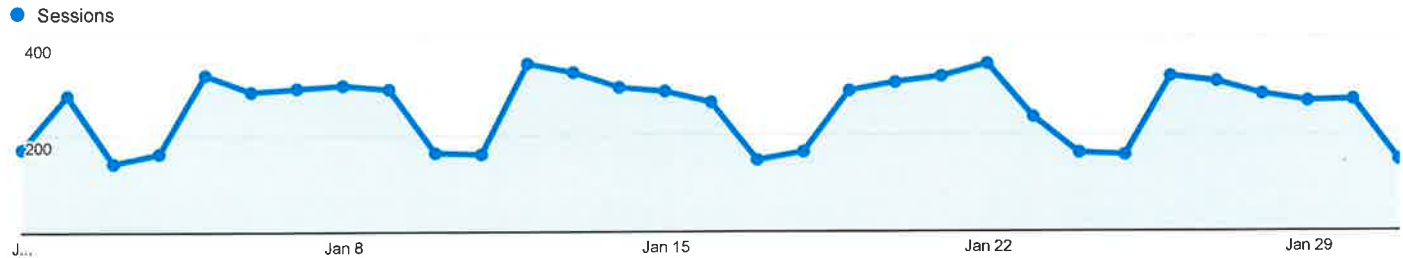
JANUARY 2015

Audience Overview

Jan 1, 2015 - Jan 31, 2015

All Sessions
100.00%

Overview



Sessions

7,817

Users

5,528

Pageviews

19,835

Pages / Session

2.54

Avg. Session Duration

00:01:54

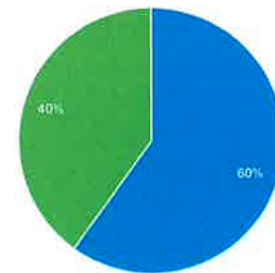
Bounce Rate

51.41%

% New Sessions

59.92%

■ New Visitor ■ Returning Visitor



Language	Sessions	% Sessions
1. en-us	7,486	95.77%
2. en	80	1.02%
3. ru-ru	44	0.56%
4. pt-br	33	0.42%
5. en-gb	27	0.35%
6. es-us	21	0.27%
7. ru	21	0.27%
8. es-es	17	0.22%
9. es-419	12	0.15%
10. c	6	0.08%

New vs Returning

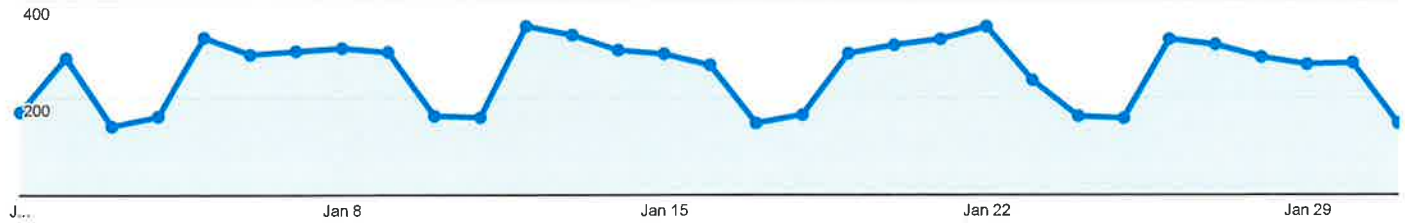
Jan 1, 2015 - Jan 31, 2015

 All Sessions
100.00%

Explorer

Summary

 Sessions



☐ User Type

Sessions

Sessions

Contribution to total: Sessions

7,817

% of Total: 100.00% (7,817)

7,817

% of Total: 100.00% (7,817)

1.  New Visitor

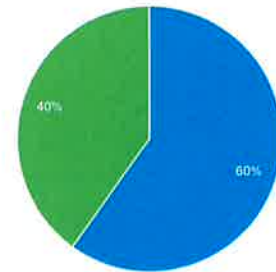
4,688

59.97%

2.  Returning Visitor

3,129

40.03%



Rows 1 - 2 of 2

Browser & OS

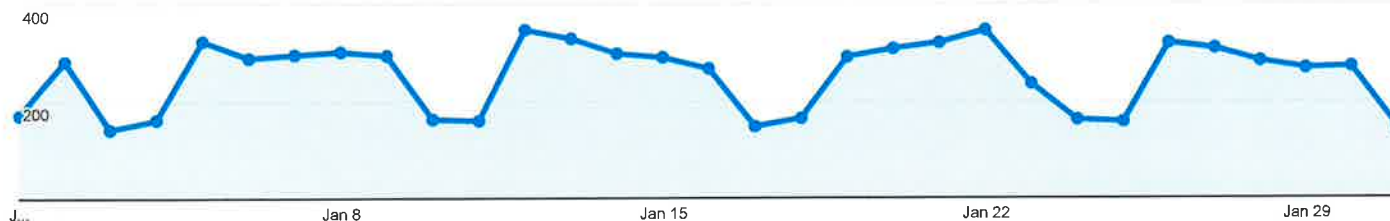
Jan 1, 2015 - Jan 31, 2015

All Sessions
100.00%

Explorer

Summary

Sessions



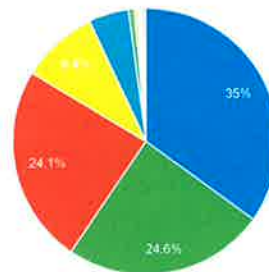
Browser

Sessions

Sessions

Contribution to total: Sessions

	7,817	7,817
	% of Total: 100.00% (7,817)	% of Total: 100.00% (7,817)
1. Chrome	2,736	35.00%
2. Internet Explorer	1,920	24.56%
3. Safari	1,883	24.09%
4. Firefox	735	9.40%
5. Android Browser	380	4.86%
6. Amazon Silk	55	0.70%
7. Opera Mini	27	0.35%
8. Opera	25	0.32%
9. YaBrowser	12	0.15%
10. Safari (in-app)	11	0.14%



Rows 1 - 10 of 20

Overview

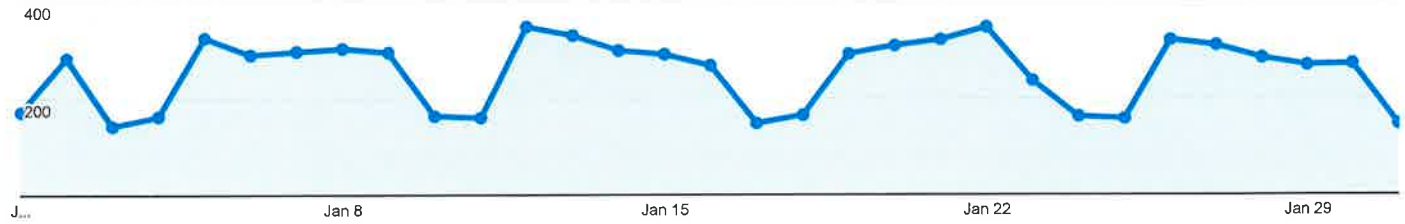
Jan 1, 2015 - Jan 31, 2015

All Sessions
100.00%

Explorer

Summary

Sessions



Device Category

Sessions

Sessions

Contribution to total:

Sessions

7,817

% of Total: 100.00% (7,817)

7,817

% of Total: 100.00% (7,817)

1. desktop

4,487

57.40%

2. mobile

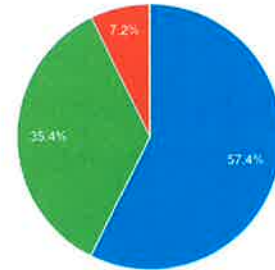
2,766

35.38%

3. tablet

564

7.22%



Rows 1 - 3 of 3

Devices

Jan 1, 2015 - Jan 31, 2015

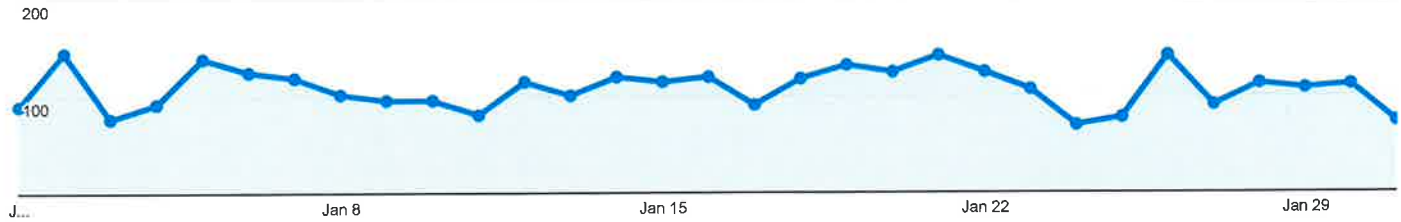


All Sessions
42.60%

Explorer

Summary

Sessions



Mobile Device Info		Sessions	Sessions	Contribution to total: Sessions
		3,330	3,330	
		% of Total: 42.60% (7,817)	% of Total: 42.60% (7,817)	
1.	Apple iPhone	1,166	35.02%	
2.	Apple iPad	419	12.58%	
3.	(not set)	294	8.83%	
4.	Samsung SM-G900V Galaxy S5	128	3.84%	
5.	Samsung SCH-I535 Galaxy S III	99	2.97%	
6.	Samsung SPH-L710 Galaxy S III	40	1.20%	
7.	Motorola XT1031	37	1.11%	
8.	Samsung SCH-I545 Galaxy S IV	33	0.99%	
9.	LG LS740 F90	32	0.96%	
10.	Samsung SM-G900A Galaxy S5	32	0.96%	

Rows 1 - 10 of 250

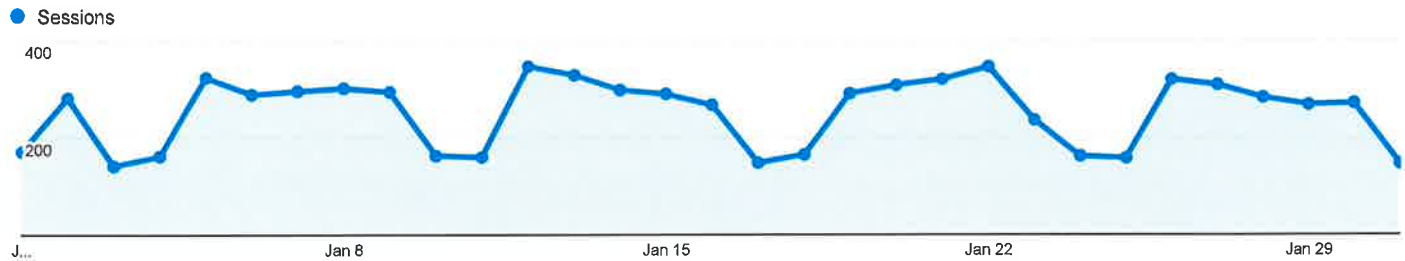
Landing Pages

Jan 1, 2015 - Jan 31, 2015

All Sessions
100.00%

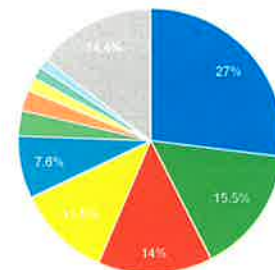
Explorer

Summary



Landing Page	Sessions	Sessions
	7,817 % of Total: 100.00% (7,817)	7,817 % of Total: 100.00% (7,817)
1. / index.htm	2,108	26.97%
2. /transportation/CAThome page.htm	1,214	15.53%
3. /Departments/swim/swim center.htm	1,091	13.96%
4. /Jobs/jobopenings.htm	900	11.51%
5. /transportation/routes.htm	595	7.61%
6. /Departments/court/court.htm	242	3.10%
7. /Departments/swim/schedule.htm	202	2.58%
8. /transportation/transit.htm	129	1.65%
9. /cityservices/cityserv.htm	111	1.42%
10. /Departments/departments.htm	98	1.25%

Contribution to total: Sessions



Rows 1 - 10 of 91

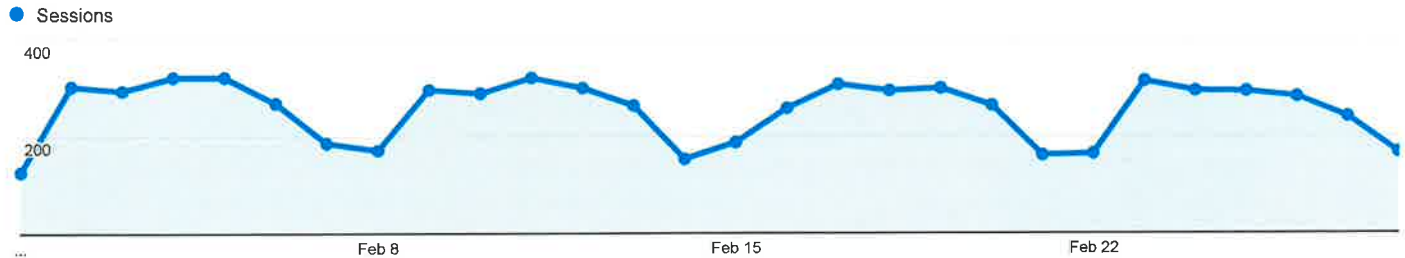
FEBRUARY 2015

Audience Overview

Feb 1, 2015 - Feb 28, 2015

All Sessions
100.00%

Overview



Sessions
7,093

Users
4,964

Pageviews
17,886

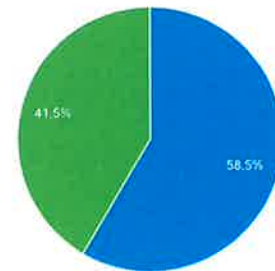
Pages / Session
2.52

Avg. Session Duration
00:01:57

Bounce Rate
51.26%

% New Sessions
58.47%

■ New Visitor ■ Returning Visitor



Language	Sessions	% Sessions
1. en-us	6,830	96.29%
2. en	44	0.62%
3. ru-ru	37	0.52%
4. es-us	33	0.47%
5. pt-br	24	0.34%
6. en-gb	21	0.30%
7. es-es	17	0.24%
8. es-419	14	0.20%
9. ru	14	0.20%
10. es	13	0.18%

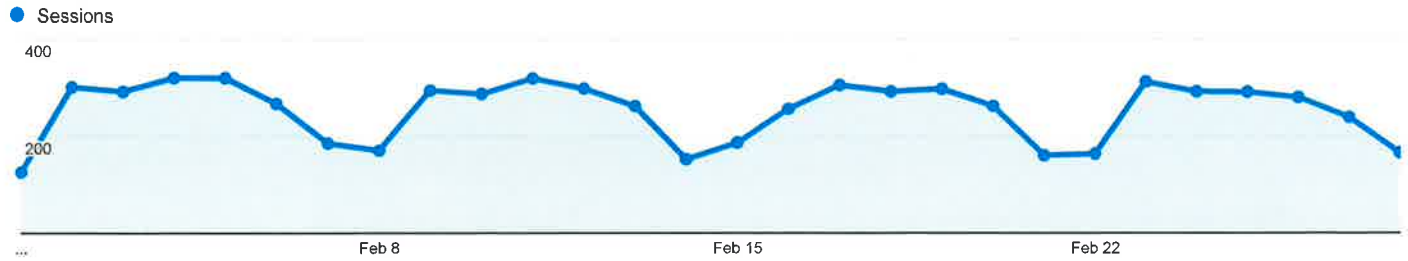
New vs Returning

Feb 1, 2015 - Feb 28, 2015

All Sessions
100.00%

Explorer

Summary



User Type

Sessions

Sessions

Contribution to total: Sessions

7,093

% of Total: 100.00% (7,093)

7,093

% of Total: 100.00% (7,093)

1. ■ New Visitor

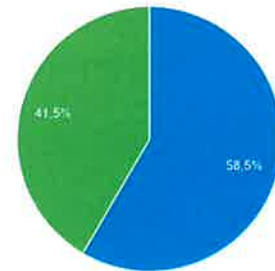
4,149

58.49%

2. ■ Returning Visitor

2,944

41.51%



Rows 1 - 2 of 2

Browser & OS

Feb 1, 2015 - Feb 28, 2015

All Sessions
100.00%

Explorer

Summary

Sessions



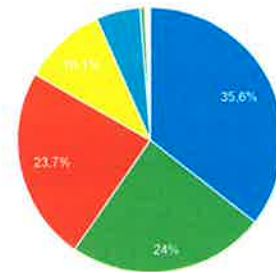
Browser

Sessions

Sessions

Contribution to total: Sessions

	7,093	7,093
	% of Total: 100.00% (7,093)	% of Total: 100.00% (7,093)
1. Chrome	2,525	35.60%
2. Safari	1,703	24.01%
3. Internet Explorer	1,679	23.67%
4. Firefox	716	10.09%
5. Android Browser	382	5.39%
6. Amazon Silk	38	0.54%
7. Opera	15	0.21%
8. Safari (in-app)	14	0.20%
9. YaBrowser	5	0.07%
10. Playstation 3	3	0.04%



Rows 1 - 10 of 20

Overview

Feb 1, 2015 - Feb 28, 2015

All Sessions
100.00%

Explorer

Summary

Sessions



Device Category

Sessions

Sessions

Contribution to total: Sessions

7,093

% of Total: 100.00% (7,093)

7,093

% of Total: 100.00% (7,093)

1. desktop

4,007

56.49%

2. mobile

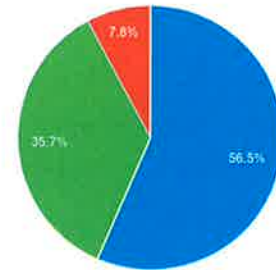
2,531

35.68%

3. tablet

555

7.82%



Rows 1 - 3 of 3

Devices

Feb 1, 2015 - Feb 28, 2015

All Sessions
43.51%

Explorer

Summary

Sessions



Mobile Device Info

Sessions

Sessions

Contribution to total: Sessions

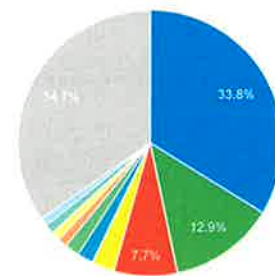
3,086

% of Total: 43.51% (7,093)

3,086

% of Total: 43.51% (7,093)

1.	Apple iPhone	1,043	33.80%
2.	Apple iPad	397	12.86%
3.	(not set)	239	7.74%
4.	Samsung SM-G900V Galaxy S5	87	2.82%
5.	Samsung SM-G900A Galaxy S5	60	1.94%
6.	Samsung SCH-I535 Galaxy S III	54	1.75%
7.	Samsung SCH-I545 Galaxy S IV	36	1.17%
8.	Apple iPod	34	1.10%
9.	LG VS980 G2	34	1.10%
10.	Samsung SCH i545 Galaxy S4	32	1.04%



Rows 1 - 10 of 232

Landing Pages

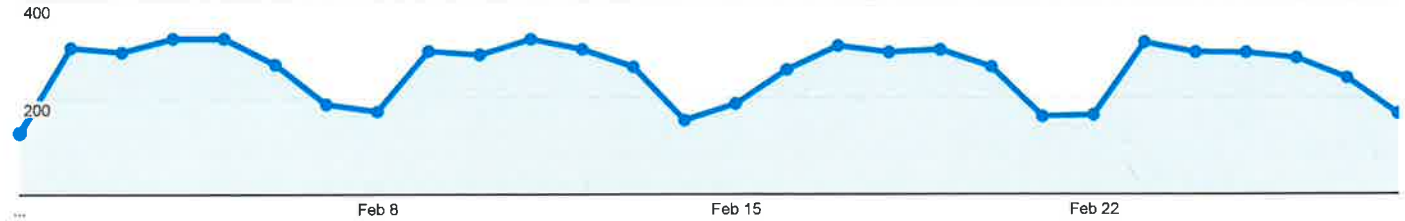
Feb 1, 2015 - Feb 28, 2015

All Sessions
100.00%

Explorer

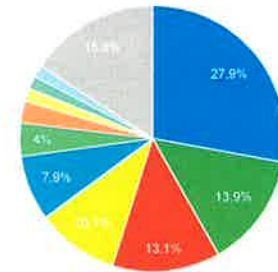
Summary

Sessions



Landing Page	Sessions	Sessions
	7,093 % of Total: 100.00% (7,093)	7,093 % of Total: 100.00% (7,093)
1. / index.htm	1,979	27.90%
2. /transportation/CAThome page.htm	985	13.89%
3. /Departments/swim/swim center.htm	927	13.07%
4. /Jobs/jobopenings.htm	715	10.08%
5. /transportation/routes.htm	560	7.90%
6. /Departments/court/court.htm	287	4.05%
7. /Departments/swim/schedule.htm	192	2.71%
8. /Departments/development_services/development_serv.htm	109	1.54%
9. /Departments/parks/park_facilities.htm	109	1.54%
10. /Departments/departments.htm	106	1.49%

Contribution to total: Sessions



Rows 1 - 10 of 99

City of Canby Bi-Monthly Report

Department: Transit



For: the months of January & February, 2015

Date: March 4, 2015

Prepared by: Julie Wehling

Through: Rick Robinson, City Administrator

1) Funding Issues:

- a) Monthly Elderly and Disabled transportation reports were submitted to TriMet.
- b) Quarterly Report submitted to ODOT.
- c) Annual Federal Transit Administration (FTA) Certificates and Assurances submitted in TEAM (the FTA contracting and reporting system).
- d) Annual Federal Transit Administration (FTA) MIS and NTD reports submitted to ODOT.
- e) On February 20th our biannual application for FTA Section 5311 funding was submitted to ODOT's Rail and Public Transit Division. Our request was for \$590,869 (\$295,434.50 annually). The request amount is based on a formula which is applied statewide. These funds are for rural public transportation programs.
- f) On February 26th a biannual application for FTA Section 5310 funding was submitted to TriMet. Our request was for \$110,000 (\$55,000 annually) in operating funds and \$132,441 (\$66,220.50 annually) in preventive maintenance funds. We also requested \$117,546 for a replacement vehicle. If funded our match requirement would be 10.27% (\$13,454) of the estimated vehicle cost (\$131,000). Section 5310 is for elderly and disabled transportation services.
- g) On February 26th a biannual application for state Special Transportation Fund (STF) funding was submitted to TriMet along with an application for supplemental state funding. The STF application was for \$245,500 (\$122,750 annually) and the application for supplemental funding was for \$110,400 (\$55,200 annually) in operating funds and \$49,980 to pay the 17 % match for our Section 5339 vehicle grant which was approved earlier this year. These funds are also specifically for elderly and disabled transportation services.

2) Ridership:

Total ridership year to date for FY 2014-15 is up by 3.54 percent as compared to the previous fiscal year. During this report period CAT provided:

- a) 8,981 rides in January (4.54% more than January of 2014).
 - 1,579 demand responsive rides (Shopping Shuttle & Dial-A-Ride). This is 10.69% fewer than were provided during January of 2014.
 - 5,530 to Oregon City (9.25% more rides than January of 2014).
 - 1,872 to Woodburn (6.30% more rides than January of 2014)
- b) 8,422 rides in February (14.58% more rides than February of 2014).
 - 1,366 demand responsive rides (Shopping Shuttle & Dial-A-Ride). This is 14.36% fewer rides than were provided during February of 2014.
 - 5,241 to Oregon City (20.20% more rides than February of 2014)
 - 1,815 to Woodburn (30.10 % more rides than February of 2014).

The drop in ridership experienced since the service cuts in 2011 and the implementation of a \$1 fare in 2012 seems to have finally ended. So far this fiscal year, total system ridership holding its own or trending up slightly.

Updates:

- a) The Rider of the Month for January was Jodie Walsh. Jodie has been a Dial-A-Ride customer since CAT service began. The Rider of the Month for February was Mary Turner. Mary started riding very recently. Both winners were given a free pass and other promotional items.
- b) In January and February we provided 162 same day rides on a space available basis. Customers who know their appointment time in advance are strongly encouraged to make their ride requests a day or two prior to the trip; because same day rides must be added to an existing ride schedule. Not all same day requests can be accommodated. Additionally, same day rides require riders to be very flexible with their pick-up and return times which usually means a longer wait for the same day ride request.
- c) Construction of the bus yard and placement of the utilities is well underway. As of this report the curbing is completed, light fixtures are in place and the trench is open for the installation of water, sewer and electrical. The project is proceeding on schedule and should be completed by May 1st if not sooner.

4) Collisions and Incidents

- a) On January 21st a driver's backpack was stolen by a rider. The incident was caught on camera. The police were able to retrieve most of the driver's belongings and the perpetrator was charged with theft.
- b) On February 19th a customer tripped and fell while entering the bus. At the time of

the incident the customer said she was fine. A few days later she did seek medical attention.

- 5) Events Attended: City staff, contractors and/or volunteers represented CAT or participated in activities in the following venues:
- a) On January 13th Julie Wehling attended the Clackamas County Transportation Consortium meeting in Oregon City.
 - b) On January 15th and February 19th the Transit Advisory Committee met and held their regular meeting.
 - c) On January 29th Julie Wehling attended the second meeting of the advisory committee for an ODOT/TGM Special Project: Transit Development Plan Guidebook, in Salem.
 - d) On January 30th Julie Wehling attended a Special Transportation Fund Advisory Committee (STFAC) meeting hosted by TriMet to kick off the funding application process for the State's Special Transportation Fund (STF) process and also the biannual Federal 5310 funding application process. These funds are all specific to transportation for elders and people with disabilities. The meeting was held at Region 1 in Portland.
 - e) The same day Julie Wehling attended a lunch meeting of the ODOT Region 1 Transit providers to network and discuss coordination opportunities with Karyn Criswell, ODOT's new Region 1 Regional Transit Coordinator.
 - f) That afternoon Julie Wehling met with Karyn Criswell and Nicole Peirce of ODOT to discuss transit stop improvement opportunities along 99E that might be accomplished in conjunction with future roadway repavement projects along 99E.
 - g) On February 5th Julie Wehling attended the C4 meeting in Oregon City.
 - h) MV held a driver safety training meetings on January 10th and February 14th.



City of Canby Bi-Monthly Report

Department: Wastewater Treatment Plant

For Months of:

January & February 2015

To: The Honorable Mayor Hodson & City Council
From: Dave Conner, Lead Operator
Through: Rick Robinson, City Administrator
Date: March 3, 2015

Facility Operations & Maintenance

The water quality for the months of January and February remain excellent with no violations. Plant Operators continually maintain daily monitoring and operations of the plant to maintain NPDES permit compliance.

The list below highlights a few of the tasks completed since the last bi-monthly report.

- Completed 2014 Biosolids Annual Report.
- Ordered WAS / PS pump parts and new process water hose items.
- Received process water pump #2 back from Fishers RPM, new bearings.
- Repaired South Was Pump.
- Primary Clarifier off line drained and cleaned 1/14/15.
- Pumped & Cleaned Stabilized Sludge cells for McClure & Sons.
- City of Portland Lab received Biosolids/Sludge samples for analysis.
- Crain inspections/Washington Crain.
- Tesco failure / PLC to run raw pumps.
- Diagnose and repair effluent flow meter LUT-400 129 code error.
- Contractors start plant upgrade, equipment and job trailer delivered.
- Placed Primary Clarifier back on line 2/12/15.
- Isolated pumped & cleaned Pista Grit chamber for McClure & Sons 2/24/15
- Pumped out & cleaned both North & South ponds.
- New valves installed at wash tank and pipe gallery.
- Tested new polymer for Belt Press with our Primary Clarifier off-line.
- Scum vault set for new scum system for secondary's Clarifiers 2/24/15
- Daily plant check, lab, and process control.
- Routine daily maintenance, repairs, and cleaning of plant.

PRETREATMENT, FOG (fats, oils and grease) program

Jan.

- Pump Outs: 28
- Inspections: 4

Feb.

- Pump Outs: 24
- Inspections: 6
- Completed 2014 Pretreatment Annual Report.
- Reviewed Jan / Feb Business License renewals.
- Follow up tour at Kahut Waste Services(delivered inspection requirements sheet)
- Re sent 2014 and 2015 Nutrient Profile data for DEQ.

Biosolids Program:

- Belt ran 18 days in January.
- 7 loads to Heard Farms, 170 wet tons.
- Belt ran 15 days in February.
- 7 loads to Heard Farms, 201 wet tons.

Daily Lab Activity

Monthly / Weekly NPDES Permit Tests

- TSS
- BOD
- CBOD
- Ammonia
- E-coli
- Alkalinity
- pH
- Total Flow
- UV Dosage
- Bioassay sent to NW Aquatic Services.

Meetings and Training Attended

These meetings, conference's or training were completed by either one or more of the wastewater treatment plant personnel (Dave Conner, Don Steiner, Bob Wengert, or Dave Frahm)

- Daily staff and operations meeting.
- Bioassay DMR-QA 35 Webinar (ERA),
- Construction meeting with Curran McLeod/McClure and Sons.
- Master plan informational plant tours to several NW Treatment Plants.
- Capital Improvements meeting with Engineers.
- City Safety Committee.

Management Team Meeting Minutes

March 2, 2015

2:00 PM

City Hall Conference Room

In attendance: Rick Robinson, Kim Scheafer, Bryan Brown, Haley Fish, Julie Wehling, Amanda Zeiber, Renate Mengelberg, Bret Smith, Eric Laitinen, and Joseph Lindsay.

Rick Robinson

- Spoke about CC/URA Work Session Retreat on April 10. Management staff and Council will be split into four groups in the morning. Each staff member will talk about what they are working on, programs, duties/responsibilities, and any obstacles they encounter. Afternoon session will involve discussion on the City Budget and URD Plan and Projects. Management staff will meet the first week in April as a group to go over their presentations.
- Out of the office Thursday and Friday
- Presenting the CM/GC Findings at the URA Meeting on Wednesday night

Bret Smith

- RegJIN goes live on April 15
- New Officer is at the Police Academy
- Sergeant Tim Warren's dog is retiring. Officer Chris Koehnke will be the new K9 Officer
- Spoke about new marijuana law
- Gave an update on some cases that had been solved
- Saturday Academy will probably be held in April

Joseph Lindsay

- Talking at a Code Enforcement seminar next month
- Officer Tim Sommer recently retired

Amanda Zeiber

- Gave an update on the Library/Civic Building project. Houses have been demolished and an additional lot was purchased. Updates on the project are on the City's webpage.
- Conducted initial interviews for a Public Works Director. Narrowed it down to three finalists. Second interviews will be held on March 12.
- The CPI for the Portland area that was just released was 2.3%
- Will not have insurance rates until May

Haley Fish

- Budget packets were sent out on March 13
- All GF budget preparers need to be at the City Budget Committee Meeting on May 7. Other funds will be discussed on May 14.
- MAFOC will be reviewing the responses received to the RFP for an Auditing firm

Renate Mengelberg

- Only two businesses turned out at the Industry Cluster Meeting last week, but good conversations were held
- Did an outreach meeting to HawkSoft
- Working on a lead for a new industrial business
- The purchase closed on the old Elm Street Inn property. Will be meeting with Railroad officials regarding a Quiet Zone.

- Community Response Team will start meeting again

Julie Wehling

- Buses will not be going down SW 4th during construction
- Will be at the Legislature on April 8 for Transit Day
- Has been submitting grant requests
- Work on new parking lot has started and should be done in May

Bryan Brown

- Received a Community Development Block Grant for 10th Avenue
- Department of Revenue approved the N. Pine annexation
- Pre-application meeting on a Hope Village addition will be held tomorrow
- Canby Square applied for a building permit where the old Hoi Tin restaurant is. New building will have four businesses in it.
- Fred Meyer is working with their Engineers on the new fuel station
- Working with developer on model home for the Dinsmore Phase II development

Eric Laitinen

- Several public swims are held at the pool in March
- Spring lessons have started
- Penguin Club has started
- Triathlon Class will be held February 24 – May 5
- Lifeguard Class will be held March 23-27 from 12 p.m. – 6:00 p.m.

Kim Scheafer

- Bi-Monthly Reports are due by Friday
- Reviewed Agenda for March 18 CC Meeting
- Please make sure a company has a business license before you sign an agreement with them to do work in the City

Minutes taken by Kim Scheafer

Dear Canby City Council,

There is to be a meeting regarding a noise variance for the Canby Swim Club on March 18th. I had planned on attending this meeting , however, my job requires me to work late on that day. I have to work a 12 hour shift, and the school district I work for does not allow anyone to request personal leave during this time.

I talked to the city recorder and she mentioned that I could submit what I planned to say in a letter.

First, I would like to introduce myself. My name is Carolyn Russ and I have lived in Canby since 1975. My husband and I have raised our family in Canby and have enjoyed living in Canby. We have lived in our current home since 1997.

Our current home backs up to the Ackerman and Lee school campus. When we first moved into our home we were well aware of the sports and school activities that would be going on behind our house. We think it's great that Canby has so many activities for the children in our community. We, also, like the fact that Canby has a swimming pool and have always voted for any measure that would benefit the pool.

On May 10th of 2014, I woke up to a loud drumming noise. I thought perhaps it was a neighbor and waited to see if the noise would stop. Also, on this particular Saturday I was very ill and was trying to recuperate at home.

Since the noise did not stop, I called the non-emergency police number and reported the noise as a nuisance noise. The dispatcher informed me it was probably the music from the Gator Grinder Triathlon. I asked if someone could ask them to turn down the volume.

The dispatcher said they would try to ask the Canby Swim Club to turn down the volume. This didn't happen.

I called the non-emergency police number a second time and I was told they were too busy directing traffic to handle my request. I said I was willing to call and make the request myself. I was given a phone number. I called and made the request. Nothing happened.

RECEIVED

MAR 18 2015

CITY OF CANBY

I would like to add that this was the first time that the Canby Swim Club music has ever been an issue.

On that particular Saturday, I was not able to prevent the music from coming into my home. I tried ear plugs and my sound machine to block the music, so I could get some rest. Nothing worked. I simply had to wait out the noise.

One word that kept coming up while I was talking to the city recorder was "complaint." Only one complaint came in. I know others who were bothered by the noise but, apparently, did not "complain."

My "complaint" was not against the Canby Swim Club. I was calling in a nuisance noise. I had no idea the triathlon was going on. I have no complaint about the triathlon per se.

However, there needs to be a limit to how loud their music can be. I would like the music volume to be brought down to a level so that I cannot hear it inside my home. I would like to have the use of my home and find it a comfort when I am ill. If the noise variance does not allow for this, then I would prefer that the Canby Swim Club not be granted the noise variance for their triathlon on May 9, 2015.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carolyn Russ".

373 S. E. 10th Ave.

Canby, Oregon 97013

(503-266-5063)