

ORDINANCE NO. 139

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSALS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM, REQUIRING APPLICATION, PERMITS AND FEES: PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE:

SECTION 1. Definitions:

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- A. "Sewage Works" shall mean all City-owned facilities for collection, pumping, treating, and disposing of sewage.
- B. "Superintendent" shall mean the Public Works Superintendent of the City of Troutdale or his authorized deputy, agent, or representative.
- C. "Sewage" shall mean a combination of the water-carried wastes, from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.
- D. "Sewer" shall mean a pipe or conduit for carrying sewage.

- E. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.
- F. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwater are not intentionally admitted.
- G. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- H. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- I. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- J. "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- K. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of foods that have been shredded to such degree that all particles will be carried freely under the flow and conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

- L. "Service Connection" shall mean a public sewer which has been constructed to the property line or right of way line from a public sewer lateral or main for the sole purpose of providing a connection for the building sewer.
- M. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall.
- N. "Building Sewer" shall mean the extension from the building drain to the property line or right of way line and connection with the public sewer service connection.
- O. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under a standard laboratory procedure in 5 days at 20 degrees C. expressed in milligrams per liter.
- P. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Q. "Suspended Solids" shall mean solids that either float on the surface, are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.
- R. "ASTM Specifications." All references to the form ASTM shall mean the Standard Specifications or Methods of the

American Society for Testing Materials of the serial designation indicated by the number and, unless otherwise stated, refer to the latest adopted revision of said specification or method.

- S. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- T. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- U. "Person" shall mean any individual, firm, company, association, society, corporation, family, or group.
- V. "Connection Charge" shall mean the fee levied by the City of Troutdale to cover the cost of inspection and construction of the public sewer lateral to the property which is to be serviced, and for a portion of the construction cost of the lateral sewers, and other administrative costs.

SECTION 2. Use of Public Sewers Required:

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the City of Troutdale or in any area under the jurisdiction of said City any human excrement, garbage, or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the City of Troutdale, or in any area under the jurisdiction of said City, any polluted waters, except where suitable treatment has

been provided in accordance with subsequent provisions of this ordinance.

- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage within the corporate limits of the City of Troutdale, or in any area under the jurisdiction of said City.
- D. The owner of all houses, building, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City of Troutdale and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public sanitary sewer of the City of Troutdale, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer, either by gravity or with approved pumping facilities, in accordance with the provisions of this ordinance within ninety (90) days after the date of official notice to do so, provided that said public sewer is available to or on the property and/or at a property line of said property and the structures or buildings are within 300 feet of the public sewer. In the event that, during the said period of 90 days, the said owner shall file his written objections with the City Recorder against so being required to install said facilities, the City shall not enforce the provisions of this subsection upon said owner, so filing his objections, until the Council shall have, at a meeting thereof, heard the said objections of said owner,

and rendered its decision thereon. The said meeting of the Council shall be held not less than 10 days or more than 30 days from and after the date of the filing of said objections with the City Recorder. Not less than 7 days prior to the date set by the Council for said meeting, the City shall give due notice of the date set therefor to said owner. The decision of the Council shall be final and no appeal shall be taken therefrom by said owner except as is provided by law.

SECTION 3. Connection Charges:

- A. All houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes which are required to connect to the public sewer under the provisions of this ordinance shall pay a connection charge for each separate service connection provided to the property.
- B. The connection charge for all existing services for the period from the date of this ordinance to December 31, 1969, shall be the sum of \$^{215.00}~~175.00~~. All persons required to connect to the initial sewer system shall have the option of paying the connection charge in periodic partial payments deposited with the City Recorder for deposit into the "sewer fund" commencing immediately and running through the period ending ~~December~~ ^{Oct. 31} 31, 19~~69~~⁷⁶.
- C. After December 31, 1969, all persons desiring or required to connect to the initial sewer system or extensions thereof under the provisions of this ordinance shall, when applying for a sewer

connection, pay \$175.00 plus \$20.00 per year or fraction thereof, but a sum not to exceed \$400.00. The sum paid hereinbefore over and above the actual cost of the sewer installation shall be deemed said applicant's fair share in paying the cost of disposal facilities that has been carried by other users.

- D. The Common Council of the City of Troutdale within its judgment may provide that area or areas within the City of Troutdale not now served by the sewerage system desiring to be served by sewer facilities may allow the owners of said area or areas to construct the sewer facilities on said properties all in accordance with plans and specifications as approved by the engineer of the City of Troutdale and in accordance with plans and specifications approved by the Department of Environmental Quality of the State of Oregon and installed in a manner satisfactory to and approved by a person authorized to inspect said sewer installations by the City of Troutdale; and if said sewer installation is done by private persons other than the City, and all of the cost and expenses of installing said sewer and making the connections to the improvements located on the respective parcels of land or parts of land served by said sewer, then in that event, each residence and each unit of multiple residences connecting to said sewer shall forthwith pay when they are actually connected to the municipal sewer system of the City of Troutdale a sewer connection charge of \$100.00 plus \$10.00 per year or fraction thereof after December 31, 1969 but not exceeding \$200.00.

It being further provided that in the event a new service connection to the present sewer facilities of the City of Troutdale or in the event of an extension of the sewer system to serve a user who may be a large water user, then and in that event, the Council as provided shall fix the connection charge to be paid by said sewer users, said Council to take into consideration the quantity of water to be used by said business and any and all other factors which may affect the ultimate use of the sewage works of the City of Troutdale.

In all those areas where sewer expansion is done by private persons under supervision of the City as hereinabove provided for in this section, the City and the persons doing the work shall agree as to the time within which said sewer extension work shall be done and upon completion of said work and acceptance thereof by the City, said sewer mains, laterals, and connections shall be turned over to the City free and clear of any and all expenses for the construction and installation thereof. The person, persons, or company doing the work before turning over the sewers, mains, and laterals to the City shall prepare a map or plat showing all of the property served by said facilities and the lots, parts of lots, or parcels of ground actually hooked up to said sewers. Each of the owners of said lots, parts of lots, or parcels of land shall, when connecting to the sewer, pay to the City a connection charge for the type of property served as provided for in this ordinance.

The person, persons, or company doing the work shall also specify on the map turned over to the City those lots, parts of

lots, or parcels of ground to which service connections have been run from the sewers, laterals, or mains to the property lines, and said properties shall pay when connecting up to the City sewer a connection charge in an amount as specified in this ordinance.

It is further provided that all other properties served by said sewer installation, but which do not have a service connection running from the sewer mains or laterals to the property lines shall, upon construction of the service connection by the City, pay a service connection charge as provided for in Section 3C of this ordinance.

- E. In the event a future expansion of the City sewerage system be made by the City itself, the connection charge shall be as in Section 3C.

It is further provided that in the event at any time in the future there shall be additional territory taken into the City or areas outside the City shall be served by the municipal sewer system, all future connections to the sewer system to the properties in said areas shall in addition to all other charges pay as part of any hookup or as a connection charge an amount equal to the sum as in Section 3.

- F. That at any time when any improvement which is connected to the municipal sewer system is destroyed by fire or is torn down and no longer connected to the sewer system, the owner thereof shall file a certificate with the City Recorder stating the date of destruction or removal of said improvements and pay up all sewer service charges from the date of said destruction or removal

and thereafter there shall be no monthly service charge made to said property until new improvements are placed on said premises and connected to the sewer system.

- G. The City Recorder upon receipt of a certificate of destruction or removal of improvements to property connected to the municipal sewer system shall present such certificate at the next Council meeting, and the Council shall then consider the matter; and upon adoption of a resolution removing said property from the sewer service charge rolls, the Recorder shall make proper notation in the proper records of the City and remove said property from the monthly sewer charges until the property is again hooked up to the municipal sewer system.

SECTION 4. Private Sewage Disposal:

- A. Where a public sanitary or combined sewer is not available under the provisions of Section 2-D, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Department of Environmental Quality, the Oregon State Board of Health, and the Plumbing Code of the State of Oregon.
- B. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 2-D, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material, except as

provided below, or the City Council shall otherwise permit. Where existing buildings are too low to be served by gravity by an available sewer, the existing septic tank facilities shall be maintained in use and, when so ordered by the City of Troutdale under Section 2-D, approved pumping facilities shall be installed to pump the septic tank effluent into the available sanitary sewer system.

- C. The provisions of this article shall be in addition to and not in derogation of the requirements of general law.

SECTION 5. Building Sewers and Connections:

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereto and no person, firm, or corporation shall make any connection to any part of the sewer system without first making an application and securing a permit therefor.
- B. There shall be two classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City of Troutdale. The permit applications shall be supplemented by any plans, specifications, or other information considered pertinent to the Superintendent's judgment. A permit and inspection fee of \$10.00 shall be paid to the City Recorder at the time the application is filed, 80 percent of which shall be refunded after final approval by the superintendent. No permit shall be issued until the connection charge specified in Section 3 has been paid.

- C. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner.
- The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation.
- D. Old building sewers may be used in connection with new buildings, or new building sewers only when they are found, on examination and tested by the superintendent, to meet all requirements of this ordinance.
- E. The building sewer shall consist of and conform to the following:

<u>Material</u>	ASTM Reference	
	<u>Pipe & Fitting</u>	<u>Joint</u>
Cast Iron	A377 & A126	Push on or Mechanical
Cast Iron Soil Pipe	A74	C564 or leaded
Hubless Cast Iron	A126	C564
Asbestos-Cement	C428	D1869
Clay	C200	C425
Concrete	C14*	C443

* Except minimum wall thickness shall be one (1) inch.

The installation of the building sewer shall conform to all city, county, and state building codes referred to herein and with the manufacturer's recommended practices.

- F. Building sewer connections shall be made on the house side of the septic tank to the existing cast iron soil pipe, or approved

existing A.C. or clay pipe. When connecting cast iron soil pipe to asbestos-cement or clay pipe, a special approved adaptor shall be used. Connection of the building sewer to the City sewer at the property line shall be with an approved adaptor.

- G. The first fitting at the connection with the public sewer and the building sewer shall be a tee fitting, furnished by the owner. This tee shall be used for inserting a test plug for water testing the building sewer. The tee branch shall extend vertically to within one foot of finished ground surface and shall be sealed with an approved cap or plug. This riser shall be used as an auxiliary cleanout. Backfilling around the riser shall be done in such a manner so as not to damage the pipe.
- H. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than 4 inches. The slope of such 4-inch pipe shall not be less than one-quarter ($1/4$) inch per foot, unless approved by the Superintendent. In no case shall the slope of 4-inch pipe be less than one-eighth ($1/8$) inch per foot.
- I. Building sewers serving buildings with basements shall, whenever possible, be brought to the building at an elevation below the basement floor.
- J. The building sewer shall be laid at uniform grade and in straight alignment insofar as is possible. Changes in

direction shall be made only with curved pipe no greater than "45-degree long radius bends." No 45-degree or 90-degree short radius elbows shall be used. All pipe shall be laid on a 4-inch granular base of 3/4-inch rock, pea gravel, sand, or combination thereof.

- K. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.
- L. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the superintendent. No backfilling of the trench shall be done until receipt of written approval from the City.
- M. All joints and connections shall be made gastight and watertight.
- N. The applicant for building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. After final approval and testing of the building sewer by the Superintendent, the owner shall make the final connection to the building drain as defined in Section 1, unless otherwise authorized by the Superintendent. A 30-minute interval hydrostatic test will be required on all building sewers before connection is made to the building drain. All water, plugs, and other facilities for making the test shall be furnished by the applicant.

Minimum head over the top of the pipe shall be two feet and maximum allowable leakage shall be 4 gallons per hour per 100 feet.

- O. No plumbing contractors shall be allowed to make connections of private sewers to the sewage works of the City of Troutdale on behalf of any owners of property therein without first posting with the City a bond in the sum of \$1,000.00, indemnifying the City and the inhabitants thereof against any loss or damage which the City or the inhabitants thereof might suffer by reason of the actions of said contractors in making said connections.

SECTION 6. Use of the Public Sewers:

- A. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process water to any sanitary sewer.
- B. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process water may be discharged, upon approval of the Superintendent, to a storm sewer or natural outlet.

C. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described water or wastes to any public sewer:

- (1) Any liquid or vapor having a temperature higher than 150 degrees C.
- (2) Any gasoline, grease, oils, paint, benzine, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (3) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstructions to the flow in sewers or other interference with the proper operation of the sewage works.
- (4) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (5) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(6) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such material at the sewage treatment plant.

(7) Any noxious or malodorous gas or substance capable of creating a public nuisance, including the contents of septic tanks and cesspools without written consent of the superintendent.

D. Grease, oil, and sand interceptors shall be provided, when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand, and other harmful ingredients, except that such interceptors shall not be required for private living quarters. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located so as to be readily and easily accessible for cleaning and inspection, and shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

E. The admission into the public sewers of any waters or wastes having (a) a 5-day biochemical oxygen demand greater than 300 milligrams per liter, or (b) containing any quantity of substances having the characteristics described in Section 1, or (c) containing more than 350 milligrams per liter of suspended solids, or (d) having an average daily flow greater than 2 percent of the average daily sewage flow of the City

shall be subject to the review and approval of the Superintendent. Where necessary in the opinion of the Superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary. Plans, specifications, and any other pertinent information relating to the proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the Department of Environmental Quality, the Oregon State Board of ~~Oregon State Sanitary Authority~~ Health, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

- F. When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible at all times.
- G. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.
- H. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made above shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," and shall be determined at the control manhole. In the event that no special manhole has been required, the control

manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

- I. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the City of Troutdale and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment subject to payment therefor by the industrial concern.

SECTION 7. Protection from Damage:

- A. No person, or persons, shall unlawfully, maliciously, wilfully, or, as the result of gross negligence on his or their part, break, damage, destroy, uncover, deface or tamper with any structure, facility, appurtenance or equipment which is a part of the sanitary sewer system of the City of Troutdale. This section does not apply, however, to any employee of the City during the time he is engaged in his official employment, nor to any person or persons authorized to work in any manner thereon.

SECTION 8. Powers and Authority of Inspectors:

- A. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this ordinance at such times and during such hours that the Council shall approve.

SECTION 9. Penalties.

- A. Any person or persons violating any of the provisions of ~~the~~ this ordinance shall be guilty of disorderly conduct and, upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or by imprisonment for not more than 1 year in jail, or both.

SECTION 10. Recovery of Damages:

- A. Any person or persons who, as the result of violating any of the provisions of this ordinance, cause any expenses, loss or damage to the City of Troutdale shall immediately become liable to the City for the full sum of such expense, loss, or damage. The Council may, at its discretion, instruct the City Attorney to proceed against any such person or persons, in any court of competent jurisdiction, in a civil action to be brought in the name of the City of Troutdale, for the recovery of the full sum of any such expense, loss, or damage sustained by the City.

SECTION 11. Validity:

- A. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION 12.

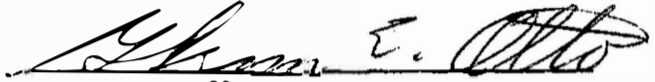
It is hereby adjudged and decreed that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Troutdale, and of the inhabitants thereof, and to preserve the credit of said City that this ordinance take effect immediately; therefore, an emergency is declared to exist, and *THIS*

ordinance shall be in full force and effect from and after its passage by the Council.

YEAS: 5

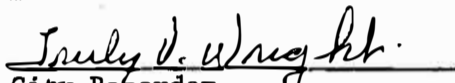
NAYS: 0

Signed by the Mayor this 9th day of September, 1969.



Mayor

ATTEST:



City Recorder

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