

ORDINANCE NO. 147

AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF TROUTDALE TO OPERATE AND MAINTAIN A SEWAGE COLLECTION AND TREATMENT SYSTEM; ESTABLISHING AND IMPOSING JUST AND EQUITABLE CHARGES UPON PREMISES SERVED BY THE SEWERAGE SYSTEM; PROVIDING FOR THE MANNER OF PAYMENT, COLLECTION, ENFORCEMENT AND DISBURSEMENT OF SUCH CHARGES: AND DECLARING AN EMERGENCY.

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

SECTION 1 Authority and Intent.

A. Pursuant to the statutes of the State of Oregon and the powers granted in the charter of the City of Troutdale, the City does hereby declare its intention to acquire, own, construct, equip, operate, and maintain sanitary sewers, sewage pump stations, sewage treatment plants, and outfall sewers; to extend and expand the existing sewerage system of said City; and to reconstruct such existing sanitary sewers, sewage pump stations, and sewage treatment plants as may be deemed proper by the City Council.

SECTION 2 Definitions.

A. "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.

B. "Sewerage System" shall mean all City-owned facilities for collecting, pumping, treating, and disposing of sewage.

C. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

D. "Sewer" shall mean a pipe or conduit for carrying sewage.

E. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwater are not intentionally admitted.

SECTION 3 Charges Levied and Imposed.

A. There is hereby levied and imposed upon the owner of any dwelling used for human occupancy, employment, recreation, or other purposes, situated on property within the City of Troutdale and abutting on any street, alley, or right-of-way in which there is now located or in the future is located a public sanitary sewer of the City of Troutdale, just and equitable charges for sewer service.

B. Dwellings that cannot be served by gravity flow to the sanitary sewer shall be subject to the sewer service charges provided by this ordinance unless lesser charges for such dwellings are enacted by resolution of the City Council.

C. Any dwelling that is on property abutting on any street, alley, or right-of-way in which there is located a sanitary sewer of the City and that by reason of ordinance, resolution, or motion duly adopted by the City Council is not required to connect to the sewerage system shall be subject to the sewer service charges provided by this ordinance unless lesser charges for such dwelling are enacted by resolution of the City Council.

D. 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.

E. When new dwellings are served by the sewerage 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.

X F. 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 sewerage system after said system is available.

#### SECTION 4 Rates.

A. Residential. A flat rate of \$4.00 per calendar month shall be charged for each single family residence.

B. Multi-family Residential. A rate of \$4.00 per calendar month shall be charged for the first unit or dwelling having kitchen facilities plus \$3.00 per calendar month for each additional unit or dwelling having kitchen facilities.

C. Transient Quarters. A rate of \$4.00 per calendar month shall be charged for the first unit or dwelling without kitchen facilities plus \$1.50 per calendar month for each additional unit or dwelling without kitchen facilities.

D. Commercial. A rate of \$4.00 per calendar month shall be charged for the first ten employees of commercial establishments that are not engaged in preparation of food plus \$4.00 per calendar month for each additional unit of ten employees or fraction thereof.

E. Restaurant. A rate of \$4.00 per calendar month shall be charged commercial establishments engaged in the preparation of food and drink

for immediate consumption plus \$0.40 per calendar month for each space over ten that is provided for the consumption of food and drink by an individual patron. Commercial establishments engaged in the preparation and preservation of food products that are not normally consumed within or immediately upon leaving the establishment shall be classified as an "Industry."

F. Industry. Commercial or industrial establishments, other than restaurants, that discharge process wastes to the sewerage system shall be charged for the discharge of said process wastes at rates established by special action of the City Council. Industries that do not discharge process wastes shall be charged at the applicable "Commercial" rate.

G. Meeting Halls. Places of public meeting including lodges, churches, labor halls, parks, and auditoriums not associated with schools shall be charged for sewer service at a rate of \$4.00 per calendar month plus \$0.50 per calendar month for each fixture for the discharge of human waste excluding the first four fixtures.

H. Schools. A rate of \$0.30 per calendar month shall be charged for each student enrolled as of the previous first day of October. The sewer service charge shall remain in effect during school vacations.

I. Mobile Home Sites. A rate of \$4.00 per calendar month shall be charged for the first space for a mobile home plus \$3.00 per calendar month for each additional space. A mobile home space shall be differentiated from a trailer or camping space by the availability of a sewer connection.

J. Trailer or Camp Sites. Trailer or camp sites not having sewer connections at individual sites shall be charged for sewer service at a rate of \$4.00 per calendar month plus \$0.50 per calendar month for each fixture for the discharge of human waste excluding the first four fixtures. Trailer or camp sites having sewer connections at individual sites shall be charged at the applicable "Mobile Home Site" rate.

K. Hospitals, Nursing Homes, etc. Hospitals, rest homes, nursing homes, dormitories, and other dwellings where capacity is better measured by the number of beds than by another unit shall be charged for the first six beds at a rate of \$6.00 per calendar month plus \$1.00 per calendar month for each additional bed.

#### SECTION 5 Payment.

A. Every person subject to a charge hereunder shall pay the same when due to the City Recorder.

SECTION 6 Collection.

A. The City Recorder of the City of Troutdale is hereby directed to collect the sewer service charges provided for herein.

B. Sewer service charges as and when collected shall be paid into a fund designated as the "Sewer Revenue Fund."

*two* C. Sewer service charges as hereinbefore provided shall be collected *every* ~~month~~ and if not paid on or before ~~fifteen~~ <sup>ten</sup> days after the date of billing, said charges shall be deemed to be delinquent.

D. Delinquent sewer service accounts shall bear interest from the day of delinquency at a rate of 8% per annum. The City Recorder may excuse interest payments on accounts delinquent for 30 days or less.

SECTION 7 Enforcement.

A. The Council of the City of Troutdale may use such means of collection as may be provided by the laws of the State of Oregon or permitted by the Charter and Ordinances of the City of Troutdale.

B. Any delinquencies may be certified to the tax assessor of Multnomah County and be by him assessed against the premises serviced and shall thereupon be collected and paid over in the same manner as other taxes are certified, collected, and paid over.

~~X~~ C. In the event it becomes necessary to certify the service charges and interest charges established because of the non-payment thereof, there shall be added to such charges a penalty in the amount of 10% thereof.

SECTION 8 Disbursement.

A. The Council, by resolution or motion duly adopted, shall from time to time and not less than once each fiscal year, direct the transfer of funds from the account to all or any of the following:

1. The account or accounts for the construction, operation, or maintenance of the sewerage system.

2. The account or accounts for the payment of principal and interest on maturing sewer bonds.

3. The account or accounts established for a sinking fund to meet future interest and principal obligations on sewer bonds.

SECTION 9 Powers and Authority of Inspectors.

A. The Marshall and other duly authorized employees and representatives of the City bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection in accordance with this ordinance at such times and during such hours that the Council shall approve.

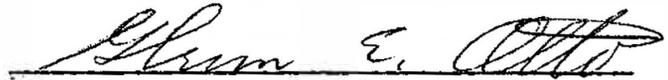
SECTION 10 Validity.

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 11 Emergency Clause.

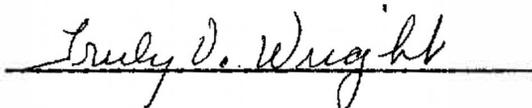
It is hereby adjudged and decreed that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Troutdale and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage.

Read by title and in full and twice by title and passed unanimously by all of the City Council present this 24<sup>th</sup> day of March, 1970



Glenn E. Otto, Mayor

Attest:



Truly V. Wright, City Recorder

Ordinance No. 147

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*every two months*

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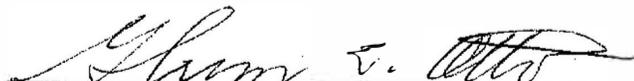
It is hereby adjudged and decreed that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Troutdale and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage.

Passed by the Common Council of the City of Troutdale this 24th day of March, 1970.

YEAS: 5

NAYS: 0

Signed by the Mayor this 24th day of March, 1970.

  
Mayor Glenn E. Otto

ATTEST:

  
City Recorder, Tully V. Wright  
Ordinance NO. 147