

ORDINANCE NO. 5247.

Introduced by Commissioner Delbert E. Shepherd

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM AND SEWER CHARGES AND PERMITS AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HERewith AND PROVIDING A SECTION IN REGARD TO CONSTITUTIONALITY AND PROVIDING A SECTION REPEALING ORDINANCE NO. 522A, INTRODUCED BY COMMISSIONER VERNON R. HART, AND PROVIDING PENALTIES FOR VIOLATION OF ANY OF THE TERMS AND CONDITIONS OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

ARTICLE I.
Definitions

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

Section 101. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

Section 102. "Superintendent" shall mean the Superintendent of Public Works of the City, or his authorized deputy, agent, or representative.

Section 103. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.

Section 104. "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 105. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by the City.

Section 106. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

Section 107. "Sanitary Sewer" shall mean a sewer which carries sanitary sewage and industrial waste and to which storm, surface and ground waters are not intentionally admitted.

Section 108. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Section 109. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 110. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

Section 111. "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

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Section 112. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

Section 113. "Building Sewer" shall mean that part of the lowest horizontal piping of a plumbing system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the property line of the abutting street, alley, or right of way.

Section 114. "Side Sewers" shall mean the City sewer between the property line and the lateral, main or trunk sewer of the City sewer system.

Section 115. "B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 deg. C., expressed in parts per million by weight.

Section 116. "pH" shall mean the logarithm of the reciprocal of the hydrogen ion concentration and which is a measure of the acidity or alkalinity of the sewage or industrial waste.

Section 117. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering and expressed in parts per million by weight.

Section 118. "Natural Outlet" shall mean any outlet into a water-course, pond, ditch, lake or other body of surface or ground water.

Section 119. "Water Course" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 120. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

Section 121. "Shall" is mandatory; "May" is permissive.

ARTICLE II.

Use of Public Sewers Required

Section 201. It shall be unlawful for any person to place, deposit, or permit to be deposited in an insanitary manner upon public or private property within the City of Warrenton or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste.

Section 202. It shall be unlawful to discharge to any natural outlet within the City of Warrenton, or in any area under the jurisdiction of said City, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 203. 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.

Section 204. The owner of any house, building or property used for human occupancy, employment, recreation, or other purposes, situated within the City of Warrenton 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, is hereby required at his expense to install suitable toilet and plumbing facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred seventy (170") feet of the property line.

ARTICLE III.

Private Sewage Disposal

Section 301. Where a public sanitary sewer is not available under the provisions of Section 204, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article and with requirements of the State Plumbing Code and rules and regulations of the State Board of Health and State Sanitary Authority.

Section 302. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Superintendent. A permit and inspection fee as set forth elsewhere in this ordinance shall be paid to the City at the time the application is filed.

Section 303. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the superintendent.

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Section 304. The type, capacities, location and layout of a private sewage disposal system shall comply with the requirements of the Oregon State Sanitary Authority and the Oregon State Board of Health.

Section 305. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 204, 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 unless the Superintendent shall otherwise permit. When public sewer service is obtained, the connection or connections to the premises being served shall be made ahead of the private disposal system and the latter removed or filled in and abandoned. No connections shall be made to the effluent side of existing septic tanks or cesspools.

Section 306. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.

Section 307. The provisions of this article shall be in addition to and not in derogation of the requirements of general law.

ARTICLE IV.

Building Sewers and Connections

Section 401. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

Section 402. There shall be two (2) 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. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment

of the Superintendent. Permit and inspection fees shall be paid to the City in advance, in accordance with the schedule as set forth elsewhere in this ordinance, at the time the application is filed.

Section 403. No person, firm or corporation shall make any sewer connection to any part of the sanitary sewer system of the City of Warrenton without first making an application and securing a permit therefor.

Applications for sewer connection permits must be made on printed forms to be furnished by the Water Office, signed by the owner, lessee or agent, and each applicant must agree to conform to the rules and regulations as conditioned for sewer connection to Warrenton Sanitary Sewer System, and shall give the location of the property, street number of the building or buildings to be connected, name of the owner of the property to be connected, name of the person, firm or corporation engaged to make the connection, and such other information or plans as may be required by the City, including real property description.

Section 404. Reasonable notice shall be given the City to inspect all sewer connections before their completion and while said connections are still uncovered. All work must be done in accordance with specifications prescribed by the City and subject to the approval of the City.

Section 405. Issuance of Permit - If the City approves the application and the charges are paid as herein provided, the City Auditor and Police Judge shall thereupon issue a Sewer Connection Permit for the premises covered in said application, and said permit shall be in the form prescribed by the City.

Section 406. Materials and Manner of Construction - Sewer connections and house laterals shall be so constructed as to conform with provisions of the Oregon State Plumbing Code, and the physical connection to sewer mains, trunk sewers or lateral sewers shall be made only by a licensed plumber of the State of Oregon or an individual certified by the City of Warrenton as competent to make sewer hookups.

Section 407. All costs and expense 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 of the building sewer.

Section 408. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 409. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this ordinance.

Section 410. The building sewer shall be cast iron, ductile iron, class 2,400 asbestos cement, extra strength concrete, or extra strength clay pipe. All shall have "O" ring rubber gasket joints. Joints shall be tight and waterproof. Any part of the building sewer that is located within 10 feet of a water service pipe shall be constructed of cast iron pipe. Cast iron pipe may be required by the Superintendent where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast or ductile iron pipe, except that non-metallic material may be accepted if laid on a suitable bed of gravel or crushed rock as approved by the Superintendent.

Section 411. 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 four inches (4"). The slope of such 4-inch pipe shall be not less than one-eighth inch (1/8") per foot, unless a flatter grade is absolutely necessary and approved by the Superintendent.

Section 412. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment in so far as possible. Changes in direction shall be made only with properly curved pipe and fittings.

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Section 413. In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such sewer shall be lifted by approved artificial means and discharged to the building sewer. Facilities necessary to accomplish this objective shall be installed, maintained and operated by the Owner of the building.

Section 414. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with regulations of the Oregon State Sanitary Authority and the State Compensation Department.

Section 415. All joints and connections shall be made watertight and gastight. Cast iron bell and spigot pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, not less than one inch (1") deep. Lead shall be run in one pouring and caulked tight. No paint, varnish or other coatings shall be permitted on the jointing material until after the joint has been tested and approved. Rubber "O" ring joint cast iron pipe and mechanical joint cast iron pipe with rubber gasket may also be used.

All joints in vitrified clay, concrete or asbestos cement pipe shall be made with "O" ring rubber gaskets.

Other jointing materials and methods may be used only by approval of the Superintendent.

Section 416. The connection of the building sewer into the public sewer shall be made at the property line where the City side sewer terminates. If no "T" or "Y" branch is available at a suitable location, the City shall install same as follows: If the public sewer is twelve inches (12") in diameter or less, and no properly located "T" or "Y" branch is available, the City shall install a "T" or "Y" branch in the public sewer at the location specified by the Superintendent. Where the public sewer is greater than twelve inches (12") in diameter, and no properly located "T" or "Y" branch is available, the City shall install a "T" or "Y" branch in the public sewer at the location specified by the Superintendent.

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branch is available, a neat hole may be cut into the public sewer to receive the side sewer. A forty-five (45°) degree ell may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the side sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Superintendent. Epoxy compounds for sealing connection may be used if of proper material and properly applied.

Section 417. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made only under the supervision of the Superintendent or his representative.

Section 418. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

ARTICLE V

Use of Public Sewers

Section 501. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface discharge, cooling water or unpolluted industrial process waters to any sanitary sewer.

Section 502. 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 waters may be discharged, upon approval of the Superintendent, to a storm sewer or natural outlet.

Section 503. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any liquid or vapor having a temperature higher than 150° F.
- (b) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
- (c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (d) Any household garbage that has not been properly shredded.
- (e) 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 obstruction to the flow in sewers or other interference with the proper operation of the sewage collection facilities, pumping stations, pipelines and treatment works.
- (f) Any waters or wastes having a pH lower than 6.0 or higher than 8.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (g) 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, animals, or fish life, or create any hazard in waters receiving the effluent from the treatment works.
- (h) 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.
- (i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

Section 504. 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 amounts, or any flammable wastes, sand, and other harmful ingredients, except that such interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

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Section 505. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

Section 506. The admission into the public sewers of any waters or wastes having (a) a five-day biochemical oxygen demand greater than 300 parts per million by weight, or (b) containing any quantity of substances having the characteristics described in Section 503, or (c) containing more than 350 parts per million by weight of suspended solids, or (d) having an average daily flow greater than 2% 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 to, (a) reduce the biochemical oxygen demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 503, or (c) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the Oregon State Sanitary Authority, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Section 507. 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.

Section 508. 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 and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

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Section 509. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in Section 503 and 506 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.

Section 510. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the City 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 and under such conditions and circumstances as the City may specify.

ARTICLE VI
Protection from Damage

Section 601. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest.

ARTICLE VII
Powers and Authority of Inspectors

Section 701. 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.

ARTICLE VIII
Monthly Service Charges - Billing

Section 801. The City of Warrenton shall bill the monthly sewer service charge along with the monthly water charge. Where payment is delinquent for either the sewer service charge, or other sewer charges including hook-up charges, or water charges, the water may be shut off according to the schedule set out in the city's water ordinance. The City of Warrenton Oregon may use such means for collection of rates and charges for sewer
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service, and hook-up charges, as may be provided by the laws of the State of Oregon or permitted by the Charter and Ordinances of the City of Warrenton, Oregon, and any monthly service charge to actual users delinquencies may be certified to the Tax Assessor of Clatsop County for collection in the manner and as provided by ORS 224.220, and after collection, these charges shall be paid over to the City in the same manner as other taxes are certified, assessed, collected and paid over, and ORS 224.220 is made a part hereof as fully as if set out herein and is hereby referred to.

Any charge due hereunder which shall not be paid when due may be recovered by an action at law by the City of Warrenton, Oregon.

ARTICLE IX
Fees and Charges

Section 901. Connection and Hook-Up Fees listed hereunder shall include the cost of inspection of the materials and workmanship:

a.	<u>Single Family Dwelling</u>	\$ 575.00
b.	<u>Apartment or Multiple Family Buildings</u>	
	1. For First Unit	575.00
	2. Additional 3 Bedroom units, each	350.00
	3. Additional 2 Bedroom units, each	300.00
	4. Additional 1 Bedroom units, each	275.00
c.	<u>Commercial Buildings and Industrial Plants</u>	
	1. For the first 18 Fixture Units	575.00
	2. For each additional 18 Fixture Units	350.00
	3. For each additional 10 or more fixture units to 18 inclusive	350.00
d.	<u>Schools</u>	
	1. For the first 18 Fixture Units	575.00
	2. For each additional 18 Fixture Units	350.00
	3. For each additional 10 or more fixture units to 18 inclusive	350.00
e.	<u>Trailer Parks, Mobile Home Parks and Estates</u>	
	1. <u>Recreational and Service Buildings</u>	
	(a) For first 18 Fixture Units	575.00
	(b) For each additional 18 Fixture Units	350.00
	(c) For each additional 10 or more fixture units to 18 inclusive	350.00
	2. <u>Trailer Pads</u>	
	(a) For First Pad	575.00
	(b) For each additional Pad	350.00
	(c) For each additional 10 or more pads to 18 inclusive	350.00

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f. Fixture Units

For the purpose of calculating fixture units under c, d and e above, the following shall apply:

1 Toilet	=	6	Fixture Units
1 Urinal	=	5	" "
1 Shower	=	2	" "
1 Tub	=	2	" "
1 Sink or Basin	=	2	" "
1 Bradley sink	=	8	" "
1 Garbage Grinder	=	12	" "
in Commercial Bldg.			

The CONNECTION AND HOOK-UP CHARGES are \$575.00 or whatever sum is set out in Section 901, payable with the application. However, the applicant may pay the sum due within five years from the date of the application, provided he pays not less than \$125.00 in any one year, with 8% interest on the unpaid balance. If these connection and hook-up charges are paid upon the date of application in full, a discount of 4% for cash will be made.

Section 902. Monthly Sewer Service Charges shall be made and billed with water bills in accordance with the schedule hereunder:

a. Single Family Dwelling		\$ 4.00
b. Apartment and Multiple Family Buildings		
1. Per Rental or Dwelling Unit		4.00
c. Commercial Buildings		
1. Per 18 Fixture Units		4.00
d. Industrial Buildings		
1. For Sanitary Sewage		
Each 18 Fixture Units		4.00
2. For Industrial Wastes		
Charge based upon quantity, B.O.D.,		
suspended solids and pH of liquid		
wastes which shall be determined		
for each industrial plant.		
e. Schools		
1. Ten cents (.10) per month per registered		
pupil as of October 1st of each school year.		
f. Schools - Summer Use		
1. High Schools used during summer months		\$20.00
2. Elementary or Grade Schools used during		
summer months		15.00
g. Trailer Parks, Mobile Home Parks and Estates		
1. Per Trailer Pad		4.00

ARTICLE X
Penalties

Section 1001. Any person found to be violating any provisions of this Page Thirteen, Ordinance.

Ordinance, except Section 601, shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 1002. Any person who shall continue any violation beyond the time limit provided for in Section 1001 shall be guilty of a misdemeanor and upon conviction thereof before the City Auditor and Police Judge, shall be punished by a fine in an amount not exceeding \$300.00, for each violation, or imprisonment in the city jail for a period not exceeding 100 days, or by both such fine and imprisonment.

ARTICLE XI
Validity

Section 1101. In case any portion of this Ordinance shall be held to be invalid for any reason whatsoever by any Court, then all other provisions of this Ordinance shall be held and considered to be independent of and separate from such invalid portions and shall not be affected or rendered void by the invalidity of such other portions.

ARTICLE XII

Section 1201. All Ordinances and Resolutions in conflict herewith are hereby repealed.

ARTICLE XIII

Section 1301. Ordinance No. 522-A, introduced by Commissioner Vernon R. Hart in regard to sewage is hereby repealed.

ARTICLE XIV
Emergency Clause

Section 1401. That inasmuch as it is necessary for the preservation of the peace, health and safety of the City of Warrenton that City of Warrenton Sewer System regulations be enacted as soon as possible, this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor, and an emergency is hereby declared to exist.

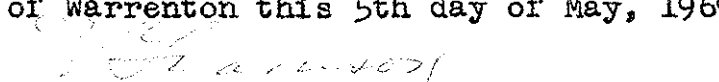
Passed by the City Commission of the City of Warrenton this 5th day of May, 1969.

Approved by the Mayor of the City of Warrenton this 5th day of May, 1969

ATTEST



Auditor and Police Judge
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Mayor