

ORDINANCE NO. 853-A

Introduced by ~~Commissioner~~ all City Commissioners

AN ORDINANCE ESTABLISHING REGULATIONS FOR PUBLIC AND PRIVATE SEWER SYSTEMS; PROVIDING PENALTIES; REPEALING ORDINANCE 524-A AND ANY OTHER CONFLICTING ORDINANCES.

The City of Warrenton, Oregon, ordains as follows:

Section 1. DEFINITIONS

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

- (1) **SEWAGE WORKS** means all facilities for collecting, pumping, treating, and disposing of sewage.
- (2) **SUPERVISOR** means the Public Work Supervisor of the City, or his authorized deputy, agent or representative.
- (3) **SEWAGE** means a combination of the water - carried wastes from residences, business buildings, institutions, and industrial establishments.
- (4) **SEWER** means a pipe or conduct for carrying sewage.
- (5) **PUBLIC SEWER** means a sewer in which all owners of abutting properties have equal rights, and is controlled by the city.
- (6) **COMBINED SEWER** means a sewer receiving both surface runoff and sewage.
- (7) **SANITARY SEWER** means a sewer which carries sanitary sewage and industrial waste and to which storm, surface and ground waters are not intentionally admitted.
- (8) **STORM SEWER** or **STORM DRAIN** means a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- (9) **SEWAGE TREATMENT PLANT** means any arrangement of devices and structures used for treating sewage.
- (10) **INDUSTRIAL WASTES** means any arrangement of devices and structures used for treating sewage.
- (11) **GARBAGE** means solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- (12) **PROPERLY SHREDDED GARBAGE** means 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 not particle greater than 1/2 inch in any dimension.
- (13) **BUILDING SEWER** means 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.
- (14) **SIDE SEWERS** means the City sewer between the property line and the lateral, main or trunk sewer of the City sewer system.
- (15) **B.O.D.** (denoting Biochemical Oxygen Demand) means 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.

- (16) **PH** means 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.
- (17) **SUSPENDED SOLIDS** means 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.
- (18) **NATURAL OUTLET** means any outlet into a water-course, pond, ditch, lake or other body of surface or ground water.
- (19) **WATER COURSE** means a channel in which a flow of water occurs, either continuously or intermittently.
- (20) **PERSON** means any individual, firm company, association, society, corporation, or group.
- (21) **"SHALL"** is mandatory; **"MAY"** is permissive.

Section 2. Use of Public Sewers Required

- (1) 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.
- (2) 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.
- (3) The owner of any house, building, mobile home or other property used for human occupancy, residence, employment, recreation or other people related purposes, situated within the City of Warrenton and abutting on any street, alley or right-of-way in which is located a public sanitary sewer of the city, is required, at his expense, to install suitable toilet and plumbing facilities therein. If the public sewer is within 170 feet of the property line, the owner shall connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance within 90 days after date of official notice to do so.
- (4) The city will install a standard 4-inch service to the right-of-way or easement where a city lateral, main or trunk line is located. Where property is more than 100 feet from a city sewer main, the city may then extend the standard 4-inch service from the nearest main along an available right-of-way for a distance not to exceed 100 feet. The selection of the right-of-way to be used for extending the 4-inch service shall be made by the city.
- (5) The provision for the installation of a 4-inch service by the city shall be available to all property owners whether or not they are required to be connected to the sewer system. However, when the cost of such installation exceeds \$1,050.00 as determined by the city engineer, the property owners shall be required to pay the basic \$750.00 connection fee plus all costs of installation in excess of \$1,050.00 when they require connection to the city sewer. The connection and hook-up fees must be paid as set forth by resolution, prior to commencement of work by the city.

Section 3. PRIVATE SEWAGE DISPOSAL

- (1) Where a public sanitary sewer is not available under the provisions of Section 2(3) and (4), the building sewer shall be connected to a private sewage disposal system complying with the provisions of the article and with requirements of the State Plumbing Code and rules and regulations of the State Health Division and Oregon's D.E.Q.
- (2) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Supervisor. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specification and other information as are deemed necessary by the Supervisor. A permit and inspection fee as set forth by resolution shall be paid to the City at the time the application is filed.
- (3) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Supervisor. 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 Supervisor 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 Supervisor.
- (4) The type, capacities, location and layout of a private sewage disposal system shall comply with the requirements of the Oregon D.E.Q and the State Health Division.
- (5) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 2(3) and (4), 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 Supervisor 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.
- (6) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.
- (7) The provisions of this section shall be in addition to and not in derogation of the requirements of general law.

Section 4. BUILDING SEWERS AND CONNECTIONS

- (1) 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 Supervisor.
- (2) There shall be two classes of building sewer permits: (1) for residential services; and (2) for commercial service. 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 judgement of the Supervisor. Permit and inspection fees shall be paid to the city in accordance with the schedule set by resolution, at the time the application is filed.

- (3) 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 plan as may be required by the City, including real property description.
- (4) 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.
- (5) If the City approves the application and the charges are paid as herein provided, the City Auditor, Accounting Supervisor, or their designate, 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.
- (6) 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 approved by the City of Warrenton as competent to make sewer hookups.
- (7) 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.
- (8) 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.
- (9) Old building sewers maybe used in connection with new buildings only when they are found, on examination and test by the Supervisor, to meet all requirements of this ordinance.
- (10) The building sewer shall be cast iron, ductile iron, extra strength concrete, polyvinyl chloride, or extra strength clay pipe. all shall have "O" ring rubber gasket joints. Joints shall be tight and water proof. Any part of the building sewer that is located within 10 feet of a water service pipe shall meet State Health Division requirements.
- (11) The size and slope of the building sewer shall be subject to the approval of the Supervisor, but in no event shall the diameter be less than four (4) inches. 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 Supervisor.
- (12) 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.

- (13) 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.
- (14) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Supervisor. Pipe laying and backfill shall be performed in accordance with regulations of the D.E.Q. and State Plumbing Code.
- (15) All joints and connections shall be made watertight and gas-tight. Rubber "O" ring joint cast iron, vitrified clay, concrete, or PVC pipe may be used. Other jointing materials and methods may be used only upon approval by the Supervisor.
- (16) The connection of the building sewer into the public sewer shall be made at the properly line where the city side sewer terminates. If no "T" or "Y" branch is available at a suitable location, a new hole may be cut into the public sewer to receive the side sewer. A 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 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 secure and watertight with a saddle connection designed for this purpose.
- (17) The applicant for the building sewer permit shall notify the Supervisor 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 Supervisor or his representative.
- (18) 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.
- (19) All property owners shall maintain, at their own expense, the sanitary sewer service lateral line on their property. They shall also be financially responsible for any blockage between the sewer service lateral and the sewer main, whether or not on private or public property.

Section 5. USE OF PUBLIC SEWERS

- (1) 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.
- (2) 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 Supervisor.
- (3) 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 10 mg/l 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.
- (4) Grease, oil and sand interceptors shall be provided when, in the opinion of the Supervisor, 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 Supervisor and shall be located as to be readily and easily accessible for cleaning and inspection.
- (5) 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.
- (6) Where installed, all grease, oil and sand interceptors shall be maintain by the owner, at his expense, in continuously efficient operation at all times.
- (7) 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 5(3), 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 Supervisor. Where necessary in the opinion of the Supervisor, 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 5(3), 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 Supervisor and of the D.E.Q. and no construction of such facilities shall be commenced until said approvals are obtained in writing.

- (8) 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.
- (9) When required by the Supervisor the owner of any property served by a building sewer carrying quantities of wastes as described in section 5 (7), shall install a suitable 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 Supervisor. 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.
- (10) All measurements, test, and analyses of the characteristics of water and wastes to which reference is made in subsections 3 and 7, of this section, in accordance with American Public Health Association Standard Methods and shall be determined at the city laboratory from a sample taken at the control manhole.
- (11) No statement contained in this section 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.

Section 6. PROTECTION FROM DAMAGE

- (1) 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.

Section 7. POWERS AND AUTHORITY OF INSPECTORS

- (1) The Supervisor 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.

Section 8. MONTHLY SERVICE CHARGES - BILLING

- (1) The City of Warrenton shall bill the monthly sewer charge, bi-monthly, along with the bi-monthly billing of the water charge. Where payment is delinquent for either the sewer service charge or other sewer charges, including hookup 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 service and hookup 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 454.225; 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 454.225 is made a part hereof as fully as if set out herein and is hereby referred to.
- (2) 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. In such action, suit or proceeding the court may award to the prevailing party such sums as the court may adjudge reasonable as attorney's fees at trial or on appeal of such suit or action, in addition to all other sums provided by law.

Section 9. FEES, CHARGES, AND MONTHLY SERVICE CHARGES

- (1) All fees, charges and monthly service charges will be established by resolution and approved by the Warrenton City Commission.
- (2) To assist the Town of Hammond in its federal funding for its sewer system, the City of Warrenton shall review its sewer rates biennially and periodically revise them in light of the requirements of the United States Environmental Protection Agency regulations.

Section 10. PENALTIES

- (1) Any person found to be violating any provisions of this ordinance, except Section 6(1), shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory correction. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- (2) Any person who shall continue any violation beyond the time limit provided for in Section 10(1) shall be guilty of a misdemeanor and upon conviction before the Municipal Judge, shall be punished by a fine in an amount not exceeding \$300.00, for each violation, or imprisonment in the county jail for a period not exceeding 100 days, or by both such fine and imprisonment.

Section 11. VAILIDITY

- (1) In case any portion of the 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 the independent of and separate from such invalid portions and shall not be affected or rendered void by the invalidity of such other portions.

Section 12. REPEALING

- (1) Ordinance No. 524-A, adopted May 19, 1989; 535-A, adopted November 3, 1969; 536-A, adopted December 1, 1969; 626-A adopted June 21, 1976; 538-A, adopted January 19, 1970; 603-A, adopted May 1974; 687-A, adopted April 2, 1980; 713-A, adopted July 7, 1981; 753-A, adopted September 26, 1983; 778-A, adopted March 12, 1985; 805-A, adopted August 19, 1987; and any other ordinances in conflict, are repealed.

First Reading: 5-3-89

Second Reading: 5-17-89

PASSED by the City Commission of the City of Warrenton, Oregon, this 17th day of May 1989.

APPROVED by the Mayor of the City of Warrenton, Oregon, this 17th day of May 1989.


Mayor

ATTEST:


City Manager/Auditor