

A BILL FOR 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 PROVIDING PENALTIES FOR VIOLATIONS)
THEREOF, AND DECLARING AN EMERGENCY.)

ORDINANCE BILL NO. 30
FOR 1978

ORDINANCE NO. 1695

WHEREAS, the City Engineer has recommended that the use of public and private sanitary sewage drains be regulated,

NOW, THEREFORE, THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

ARTICLE I

Definitions

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

- Sec. 1. "Approval" shall mean a written statement of all terms, conditions and stipulations to be complied with by all parties.
- Sec. 2. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.
- Sec. 3. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which received the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewers, beginning five (5) feet (1.5 meters) outside the inner face of the building walls.
- Sec. 4. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- Sec. 5. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- Sec. 6. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- Sec. 7. "Industrial Wastes" shall mean the liquid wastes from any non-governmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under the following divisions:

- (a) Division A--Agriculture, Forestry, and Fishing
- (b) Division B--Mining
- (c) Division D--Manufacturing
- (d) Division E--Transportation, Communications, Electric, Gas, and Sanitary Services
- (e) Division I--Services

A user in the Divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

- Sec. 8. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
- Sec. 9. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- Sec. 10. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Sec. 11. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half ($\frac{1}{2}$) inch (1.27 centimeters) in any dimension.
- Sec. 12. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- Sec. 13. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.
- Sec. 14. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.
- Sec. 15. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- Sec. 16. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
- Sec. 17. "Sewer" shall mean a pipe or conduit for carrying sewage.
- Sec. 18. "Shall" is mandatory; "May" is permissive.

- Sec. 19. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- Sec. 20. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- Sec. 21. "Engineer" shall mean the Director of Public Works of the City of Lebanon or his authorized deputy, agent, or representative.
- Sec. 22. "Suspended Solids" shall mean solids that either float on the surface of, or are insuspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- Sec. 23. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II

Use of Public Sewers Required

- Sec. 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Lebanon, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste.
- Sec. 2. It shall be unlawful to discharge to any natural outlet within the City of Lebanon, or in any area under the jurisdiction of said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- Sec. 3. 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.
- Sec. 4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City 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 or combined sewer of the City, is hereby required at his expense to install suitable toilet 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 from the Engineer to do so.

ARTICLE III

Private Sewage Disposal

Sec. 1. Where a public sanitary or combined sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the regulations of Linn County.

ARTICLE IV

Building Sewers and Connections

Sec. 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 Engineer.

Sec. 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) 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 Engineer. A permit and inspection fee of \$10.00 dollars for a residential or commercial building sewer permit and \$50.00 dollars for an industrial building sewer permit shall be paid to the City at the time the application is filed.

Sec. 3. 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.

Sec. 4. A separate and independent building sewer shall be provided for every building; except where an alternate layout is approved by the Engineer.

Sec. 5. Old building sewers may be used in connection with the buildings only when they are found, on examination by the Engineer to meet all requirements of this ordinance.

Sec. 6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and back-filling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

- Sec. 7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted and discharged to the building sewer by a method approved by the Engineer.
- Sec. 8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- Sec. 9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Engineer before installation.
- Sec. 10. The applicant for the building sewer permit shall notify the Engineer 24 hours in advance of the building sewer being ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Engineer or his representative.
- Sec. 11. 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 work shall be restored in a manner satisfactory to the City.
- Sec. 12. The applicant will secure a street cut permit prior to any excavation in the public right-of-way.

ARTICLE V

Use of the Public Sewers

- Sec. 1. No person shall discharge or cause to be discharged any storm-water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- Sec. 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Engineer. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Engineer, to a storm sewer, combined sewer, or natural outlet.

Sec. 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l or CN in the wastes as discharged to the public sewer.

(c) Any waters or wastes having a pH lower than (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes and cups, milk containers, etc. either whole or ground by garbage grinders.

Sec. 4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Engineer that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Engineer will give consideration to such factors as to quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and other pertinent factors. The substance prohibited are:

(a) Any liquid or vapor having a temperature higher than one hundred fifty (150°F) (65°C).

(b) Any water or waste containing fats, gas, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150° F) (0 and 65° C).

- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Engineer.
- (d) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Engineer for such materials.
- (f) Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Engineer as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction of such discharge to the receiving waters.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the applicable State or Federal regulations.
- (h) Any waters or wastes having a pH in excess of (9.5).
- (i) Materials which exert or cause:
- (1) Unusual concentrations of inert suspended solids (such as, but not limited to, fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Sec. 5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Engineer may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Engineer may:

(a) Reject the wastes,

(b) Require pretreatment to an acceptable condition for discharge to the public sewers,

(c) Require control over the quantities and rates of discharge, and/or

(d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this article.

If the Engineer permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Engineer, and subject to the requirements of all applicable codes, ordinances, and laws.

Sec. 6. Grease, oil, and sand interceptors shall be provided when in the opinion of the Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Engineer, and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 7. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec. 8. When required by the Engineer, the owner of the property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in

accordance with plans approved by the Engineer. 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.

Sec. 9. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said 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. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always BOD and suspended solids analyses are obtained from 24-hr. composites of all outfalls whereas pH's are determined from periodic grab samples).

Sec. 10. 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 therefore, by the industrial concern.

Sec. 11. All flow quantities shall be minimized as directed by the Engineer.

ARTICLE VI

Industrial Cost Recovery

Sec. 1. All industrial users shall be required to pay that portion of the federal assistance grant under PL 92-500 allocable to the treatment of waste from such users, as determined by the City Council based on guidelines from Article VI, Section 2.

Sec. 2. The system for industrial cost recovery shall be implemented and maintained according to the following requirements:

(a) Each year during the industrial cost recovery period, each industrial user of the treatment works shall pay its share of the total Federal grant amount divided by the recovery period.

(b) The industrial cost recovery period shall be equal to 30 years or the useful life of the treatment works, whichever is less.

(c) Payments shall be made by industrial users no less often than annually.

(d) An industrial user's share shall be based on all factors which significantly influence the cost of the treatment works, such as strength, volume, and flow rate characteristics. As a minimum, an industry's share shall be based on its flow versus treatment works capacity except in unusual cases.

(e) An industrial user's share shall be adjusted when there is a substantial change in the strength, volume, or flow rate characteristics of the user's wastes, or if there is an expansion or upgrading of the treatment works.

(f) An industrial user's share shall not include any portion of the Federal grant amount allocable to unused or unreserved capacity.

(g) An industrial user's share shall include any firm commitment to the City of increased use by such user.

(h) An industrial user's share shall not include an interest component.

Sec. 3. This requirement applies only to those features of wastewater treatment and transportation facilities which have been constructed with Federal assistance administered by the U.S. Environmental Protection Agency under PL 92-500.

ARTICLE VII

Protection from Damage

Sec. 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 sewage works. Any person violating this provision shall be subject to immediate arrest for violation of the appropriate City Ordinance.

ARTICLE VIII

Powers and Authority of Inspectors

Sec. 1. The Engineer and other duly authorized employees of the City bearing proper credentials and identification shall be permitted

to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Engineer or his representatives shall have no authority to inquire into any processes including metalurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Sec. 2. While performing the necessary work on private properties referred to in Article VIII, Section 1 above, the Engineer or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8.

Sec. 3. The Engineer and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX

Penalties

Sec. 1. Any person found to be violating any provision of this ordinance except Article VII shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Sec. 2. Any person who shall continue any violation beyond the time limit provided for in Article IX, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$100.00 dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Sec. 3. Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

ARTICLE X

Validity

- Sec. 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Sec. 2. 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 parts or part.

ARTICLE XI

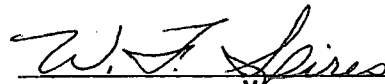
Declaring an Emergency

- Sec. 1. Inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health, and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

ARTICLE XII

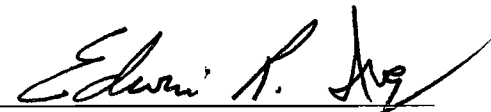
Ordinance in Force

Passed by the Council by a vote of 5 for and 0 against and approved by the Mayor this 28th day of June, 1978.



Mayor

ATTEST:



Recorder