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Ordinance No. 2009-01

AN ORDINANCE ESTABLISHING JUST AND EQUITABLE SEWER SERVICE CHARGES, REPEALING INCONSISTENT ORDINANCES AND ESTABLISHING AN EFFECTIVE DATE

**THE ROSEBURG URBAN SANITARY AUTHORITY DOES ORDAIN AS
FOLLOWS:**

SECTION 1 - - DEFINITIONS

1-01. Terms used in this Ordinance are defined in Ordinance No. 1 of the Roseburg Urban Sanitary Authority.

SECTION 2 - - INTENT OF THE AUTHORITY

2-01. Pursuant to the general laws of the State of Oregon, the Board does hereby declare its intention to contract for wastewater conveyance and disposal and/or to acquire, own, construct, equip, operate and maintain within and without the limits of the Sanitary Authority a wastewater disposal plant, sewers, equipment and appurtenances necessary and useful or convenient for a complete sewer system and wastewater disposal system, and also including maintenance and extension of the present sewer system of the Sanitary Authority, and also including the reconstruction of sewers as may necessarily and conveniently be deemed proper by the Board.

SECTION 3 - - SEWER USER CHARGES

3-01. Sufficient revenue to pay all cost for the operation and maintenance of the complete wastewater systems shall be generated through sewer user fees. The costs shall be distributed to all users of the wastewater system in proportion to each user's contribution to

the total loading of the treatment works. Factors such as strength (BOD and SS), volume, delivery flow rate characteristics and special treatment requirements shall be considered and included as the basis for the user's contribution to ensure a proportional distribution of operation and maintenance costs to each user.

3-02. The Manager shall determine the total annual costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance, during the service life of the treatment works, for which such works were designed and constructed. The total annual cost of operation and maintenance shall include, but need not be limited to, fees for wastewater treatment, labor, repairs, equipment replacement, maintenance, necessary modification, power, sampling, laboratory tests, and a reasonable contingency fund.

3-03. Sewer user charges are hereby levied and imposed on all users and shall be based upon the rate charged to a single family residence (one equivalent dwelling unit - - "EDU") and will be directly proportional to the strength and volume of wastewater discharged from an EDU. Standard flow from one EDU shall be 400 gpd.

Standard strength of wastes from an EDU shall be 200 mg/l BOD and 200 mg/l SS. "Based on the standard strength for BOD and SS, the following classes of users are established:

CLASS

I	<u>Residential</u> – single family homes, mobile homes combination residences, duplex, triplex, multi-unit apartments, boarding houses, and the like.	$\frac{\text{BOD+SS} \leq 200 \text{ mg/l}}{2}$
II	<u>Low Strength</u> – each retail business or professional office, whether a sole building occupant or in a complex using a common restroom, churches, schools, government agencies, hospitals, laundromats, car washes, service stations, motels, hotels, and the like.	$\frac{\text{BOD+SS} \leq 200 \text{ mg/l}}{2}$
III	<u>High Strength</u> – restaurants, taverns (with dining) mortuaries, and the like.	$\frac{\text{BOD+SS} > 200 \text{ mg/l}}{2}$
IV	<u>Industrial User</u> – any user whose discharge volume and/or strength requires compliance with the pre-treatment sections and the language of RUSA Ordinance No. 20 & 21.	

"The basis for establishing the BOD and SS loading of a user shall be as shown in Appendix "A" of this Ordinance, or as established by the actual testing of the discharge of the user."

3-04. The total rate charged a user shall consist of a user charge for debt service and operations, including maintenance and replacement of the treatment works.

- a) The user charge for debt service and operations, including operation, maintenance, and replacement of the treatment works shall be \$25.00 for each EDU per month.
- b) For those users who contribute wastewater with strength greater than domestic sewage, a surcharge, in addition to the normal user charge will be collected. The surcharge shall be based on the users proportionate share of the operation and maintenance (including replacement) of the treatment works.

The total rate to be charged a class of users based upon this Section is as follows:

Class

I	Residential	\$25.00/month/EDU
II	Low Strength	\$25.00/month/EDU
III	High Strength	As determined individually by calculation
IV	Industrial	As determined individually by calculation

3-05. Sewer user charges for industrial users and other users not covered by Section 3-04 will be determined on an individual basis as follows:

1. Sewer users charge shall be established by the Board based on flows and characteristics of the wastes discharged to the public sewer.
2. Each person discharging from industries, institutions, and other sources not covered by Section 3-04, into a public sanitary sewer may, at his option, or shall, when directed by the Sanitary Authority, construct and maintain an approved control manhole, together with such flow measurement, flow sampling, and sample storage facilities for all waste entering the public sewer, as may be required by the Manager. These facilities will be used to obtain flow, BOD, suspended solids, and other data on the characteristics and strength of the waste for use as a basis for the sewer user charge.

3. In lieu of directing the construction of measurement sampling and sample storage facilities, the Manager may require that each person discharging wastes from industries, institutions, and other sources not covered by Section 3-04 into a public sanitary sewer, to procure and test at the person's expense, and in a manner approved by the Manager, sufficient composite samples on which to base and compute the person's industrial sewer user charge. In the event that automatic flow measurement, sampling, and sample storage facilities are not provided, the user charge shall be computed using the metered water flow to the premises as a basis for waste flow and the laboratory analysis of samples procured as directed by the Manager as a basis for computing BOD, suspended solids, and other characteristics of the wastes. Metered water flow shall include all water delivered to or used on the premises and which is discharged to the Sanitary Authority's sanitary sewer. In the event that private water supplies are used, they shall be metered at the person's expense. Cooling waters or water not discharged to a sanitary sewer shall be separately metered at the person's expense, and in a manner approved by the Manager prior to allowing deduction of such flow from the total water used on the premises in computing the sewer user charge.

3-06. The Manager of the Sanitary Authority is hereby directed to collect the charges provided for herein from each user of the sewer facilities. The charges collected by the Manager shall be deposited to the General Fund or other existing funds of the Sanitary Authority.

3-07. The owner(s) of the premises served by the sewer system shall be responsible for payment of the System Development Charges, sewer connection and user charges for the property served notwithstanding the fact that the property may be occupied by a tenant or other occupant who may be requested by the owner(s) to pay said charges.

3-08. The owner(s) of the property served by the sewer system, or his duly authorized agent, shall be billed for service at the address for the owner(s) appearing on the Douglas County tax rolls, or as otherwise directed in writing to the Sanitary Authority by the owner(s) of the property served. Billings will be monthly, except during a transition period in adjusting billing dates to meet administrative requirements upon adoption of this Ordinance. Billing to the owner(s), or his duly authorized agent, shall constitute notice to the owner(s) of the status of the service account.

3-09. The date of billing shall be the first day of the month immediately following the monthly period for which the sewer user charge is calculated as provided in this Ordinance. Upon written request of the owner, the Sanitary Authority shall mail a duplicate copy of the

monthly billing to a tenant at the address provided by the owner(s). The charge for the duplicate service shall be \$5.00 per billing added to the user charge.

3-10. Sewer user charges shall be due and payable to the Sanitary Authority not later than 20 days after the billing date. A \$25.00 charge will be added for all non-sufficient fund checks.

3-11. Sewer user charges levied pursuant to this Ordinance shall be a debt due to the Sanitary Authority. If this debt is not paid within 5 days following the due date it shall be deemed delinquent. All delinquent accounts shall result in a late charge of \$5.00 per EDU and/or fraction thereof per billing and may be recovered by civil action in a court of competent jurisdiction, or may be certified to the Douglas County Tax Collector in accordance with the provision of ORS 454.225, subject to a Certification Charge calculated as follows:

<u>Amount of Charge Certified</u>	<u>Certification Charge</u>
\$ 1.00 to \$200.00	\$ 50.00
\$ 201.00 to \$400.00	\$ 75.00
\$ 401.00 to \$600.00	\$ 100.00
\$ 601.00 and over	20 Percent of Charge Certified

3.12. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these charges.

3.13. A Vacancy Credit Policy may be established and may be revised, from time to time, by a Resolution of the Board.

3.14. Where premises are to remain vacant for a substantial period of time, or where the structures on the premises are to be destroyed, and the owner desires to be relieved of the obligation to pay sewer user charges, he shall notify the Manager of his desire to disconnect from the Sanitary Authority's system. The Manager shall thereupon advise such person as to the manner in which the building sewer shall be disconnected and properly plugged, and when the building sewer has been disconnected and plugged to the satisfaction of the Manager, and the owner has received a written certificate to that effect from the Manager, then the owner shall, from the date of the certificate, be relieved from the obligation of paying sewer user charges. Upon reconnection of the premises to the sewer system, the

owner(s) of the property shall be responsible for payment of all fees, charges and assessments that would be payable for a new connection of the subject property to the Sanitary Authority's sewer system.

SECTION 4 - - REVIEW

4.01. The Sanitary Authority shall review the total annual cost of operation and maintenance as well as the sewer user charge amount not less often than annually and will revise the system as necessary to assure equity of the service charge system established herein and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater treatment works.

SECTION 5 - - APPEALS

5.01. Any sewer user who feels his user charge is unjust and inequitable as applied to his premises within the intent of the foregoing provisions, may make written application to the Board requesting a review of his user charge. Said written request shall, where necessary, show the actual or estimated average flow and/or strength of his wastewater in comparison with the values upon which the charge is based, including how the measurements or estimates are made.

5-02. Review of the request shall be made by the Board and shall determine if it is substantiated or not, including recommending further study of the matter by the Manager.

SECTION 6 - - SEVERABILITY

6-01. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

SECTION 7 - - REPEAL INCONSISTENT ORDINANCES

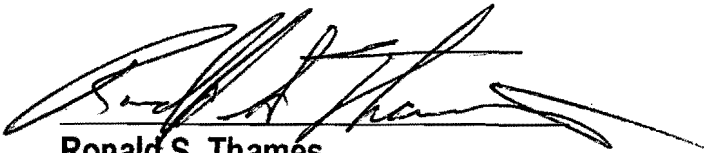
7-01. Upon the effective date of this Ordinance, the following Ordinances of the Sanitary Authority are repealed: Ordinance No. 2, 4, 7, 10, 14, 17, 18, 22, 23, 24, 2003-01, 2007-01 and 2008-01, and any other Ordinances or portions of Ordinances of the Sanitary Authority inconsistent with Ordinance No. 2009-01.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE ROSEBURG
URBAN SANITARY AUTHORITY AT ITS REGULAR MONTHLY BOARD MEETING
HELD ON THE 13TH DAY OF MAY, 2009.



J. William Neuner
Chairman of the Board

Attest:



Ronald S. Thames
Interim General Manager

First Reading: April 8, 2009

Second Reading and Passage: May 13, 2009

Effective Date: June 12, 2009

Ordinance No. 2 June 21, 1983

First Revision	Ordinance No. 4	July 12, 1984
Second Revision	Ordinance No. 7	May 23, 2985
Third Revision	Ordinance No. 10	May 8, 1986
Fourth Revision	Ordinance No. 14	January 10, 1990
Fifth Revision	Ordinance No. 17	May 9, 1990
Sixth Revision	Ordinance No. 18	May 8, 1991
Seventh Revision	Ordinance No. 22	May 12, 1993
Eighth Revision	Ordinance No. 23	May 11, 1994
Ninth Revision	Ordinance No. 2003-01	August 29, 2003
Tenth Revision	Ordinance No. 2007-01	December 12, 2007
Eleventh Revision	Ordinance No. 2008-01	December 10, 2008
Twelfth Revision	Ordinance No. 2009-01	May 13, 2009

APPENDIX A

	<u>mg/l</u> <u>BOD</u>	<u>mg/l</u> <u>SS</u>
Residential (varies, based on per capita water use)	175-200	175-200
Auto-steam cleaning	1,150	1,250
Bakeries, wholesale	1,000	600
Bars, no dining facilities	200	200
Car wash	20	150
Department & retail stores	150	150
Hospital & convalescent	250	100
Hotels with dining facilities	500	600
Hotels without dining facilities	300	100
Industrial laundries	670	680
Laundromat	150	110
Commercial laundry	450	240
Markets with garbage disposal	800	800
Mortuaries	800	800
Professional offices	130	80
Repair shops; service stations	150	250
Restaurants	1,000	600
Colleges & schools	130	100
Softwater service	3	55
Septage	5,400	12,000



ROSEBURG URBAN SANITARY AUTHORITY

1297 N.E. Grandview * P.O. Box 1185 Roseburg, OR 97470 * 541-672-1551 * 541-672-7548 Fax

May 15, 2009

Douglas County Clerk
Douglas County Courthouse
Roseburg, OR 97470

RE: Recording of Ordinance No. 2009-01

Gentlemen:

Please find attached Roseburg Urban Sanitary Authority's Ordinance No. 2009-01 for recording.

Said Ordinance No. 2009-01 was passed and signed by Chairman of the Board, J. William Neuner and Roseburg Urban Sanitary Authority's Interim General Manager, Ronald S. Thames at the May 13, 2009 Regular Monthly Board Meeting.

Sincerely,

ROSEBURG URBAN SANITARY AUTHORITY



Ellen J. Montgomery
Administration Secretary/Recording Secretary
For the Board of Directors

em
Attachment

The News-Review
OF DOUGLAS COUNTY
Roseburg, Oregon

ISSUED DAILY EXCEPT SATURDAY

STATE OF OREGON }
COUNTY OF DOUGLAS } ss.

I, SAM HOLLENBECK, being first duly sworn, depose and say that I am the Business Manager, of The News-Review, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Roseburg in the aforesaid county and state; that the _____

#8954 Public Notice

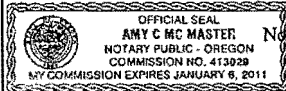
_____ a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 1 successive and consecutive days in the following issue: _____

December 17, 2008

The fee actually charged by such newspaper for such publication is \$ 164.24.

Samy Hollenbeck

Subscribed and sworn to before me this 17th day of December, 2008.



[Signature]
Notary Public of Oregon

ORDINANCE #2008-01

An Ordinance Amending Ordinance No. 23 and Repealing Ordinance No. 24 of the Roseburg Urban Sanitary Authority, Establishing Duplicate Billing Charges, Charges for Non-Sufficient Fund Checks,

Late Charges, Certification Charges, Making Provisions for a Vacancy Credit Policy and Establishing an Effective Date

Recital:

Charges as set forth in Ordinance No. 23 require modification.

NOW, THEREFORE, it is ordained by the Board of Directors of the Roseburg Urban Sanitary Authority that Ordinance No. 24 is repealed in its entirety and Ordinance No. 23 is amended as follows:

Section 1

Section 3-09 is amended to read as follows:

The date of billing shall be the first day of the bi-monthly period immediately following the bi-monthly period for which the sewer charge is calculated as provided in this Ordinance. Upon written request of the owner, the Authority shall mail a duplicate copy of the bi-monthly billing to a tenant at the address provided by the owner(s). The charge for the duplicate service shall be \$5.00 per billing added to the service charge.

Section 2

Section 3-10 is amended to read as follows:

Sewer user charges shall be due and payable to the Authority not later than 20 days after the billing date. A \$25.00 charge will be added for all non-sufficient fund checks.

Section 3

Section 3-11 is amended to read as follows:

Sewer user charges levied pursuant to this Ordinance shall be a debt to the Authority. If this debt is not paid within 10 days following the due date, it shall be deemed delinquent. All delinquent accounts shall result in a late charge of \$5.00 per EDU and/or fraction thereof per billing and may be recovered by civil action in a court of competent jurisdiction, or may be certified to the Douglas County Tax Collector in accordance with the provision of ORS 454.225, subject to a certification charge calculated as follows:

Amount of Charge Certified Certification Charge

\$ 1.00 to \$ 200.00	\$ 50.00
\$ 201.00 to \$ 400.00	\$ 75.00
\$ 401.00 to \$ 600.00	\$ 100.00
\$ 601.00 and Over	20 percent of charge certified

Section 4

Section 3-12 is amended to read as follows:

A Vacancy Credit Policy may be established and may be revised by Resolution of the Board.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE ROSEBURG URBAN SANITARY AUTHORITY AT ITS REGULAR MONTHLY BOARD MEETING ON THE 10th DAY OF DECEMBER, 2008.

ROSEBURG URBAN SANITARY AUTHORITY

First Reading: November 12, 2008

Second Reading & Passage: December 10, 2008

Effective Date: January 9, 2009

#8954 Pub Date: December 17,