

ORDINANCE NO. 411

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(s); and providing penalties for violations thereof; in the City of Sherwood, County of Washington, State of Oregon

Be it ordained and enacted by the Council of the City of Sherwood, State of Oregon, as follows:

The city of Sherwood does hereby 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 ^{*Maintenance*} Superintendent [of Sewage Works] of the City of Sherwood, 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, together with such ground, surface, and storm waters as may be present.

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 public authority.

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

Section 107. "Sanitary Sewer" shall mean a sewer which carries sewage 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.

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 $\frac{1}{2}$ inch in any dimension.

Section 113. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall.

Section 114. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

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° C., expressed in parts per million by weight.

Section 116. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

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.

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

Section 119. "Watercourse" 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 Sherwood, 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 Sherwood, 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 all houses, buildings or properties used for human occupancy, employment, recreation, or other purpose, 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 to do so, provided that said public sewer is within one hundred fifty (150) feet of the property line.

ARTICLE III Private Sewage Disposal

Section 301. Where a public sanitary or combined 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.

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 of Five (\$5.00) Dollars shall be paid to the City Treasurer 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.

Section 304. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Oregon. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than fifteen thousand (15,000) square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

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.

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

Section 307. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

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. A permit and inspection fee of Five (\$5.00) Dollars for a residential or commercial building sewer permit and Fifteen (\$15.00) Dollars for an industrial building sewer permit shall be paid to the City Treasurer at the time the application is filed.

Section 403. 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 404. 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 405. 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 406. The building sewer shall be cast iron soil pipe, ASTM specification A74-42 or equal; vitrified clay sewer pipe, ASTM specification C13-44T or equal; or other suitable material approved by the Superintendent. 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 soil pipe with leaded joints. Cast iron pipe with leaded joints 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 iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Superintendent.

Section 407. 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 (4) inches for residential service and six (6) inches for other uses. The slope of such 4-inch pipe shall be not less than one-quarter ($\frac{1}{4}$) inch per foot and the slope of such 6-inch pipe shall be not less than one-eighth ($\frac{1}{8}$) inch per foot.

Section 408. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.

Section 409. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

Section 410. 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 ASTM specification C12-19, except that no backfill shall be placed until the work has been inspected.

Section 411. All joints and connections shall be made gastight and watertight.

Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, Federal Specification QQ-L-156, not less than one (1) inch deep. Lead shall be run in one pouring and calked tight. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

All joints in vitrified clay pipe or between such pipe and metals shall be made with approved hot-poured jointing material or cement mortar as specified below.

Material for hot-poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of one hundred sixty (160°F.) degrees Fahrenheit, nor be soluble in any of the wastes carried by the drainage system. The joint shall first be caulked tight with jute, hemp, or similar approved material.

Cement joints shall be made by packing a closely twisted jute or oakum gasket, of suitable size to fill partly the annular space between the pipes. The remaining space shall be filled and firmly compacted with mortar composed of 1 part Portland cement and 3 parts mortar sand. The material shall be mixed dry; only sufficient water shall be added to make the mixture workable. Mortar which has begun to set shall not be used or retempered. Lime putty or hydrated lime may be substituted to the extent of not more than 25 percent of the volume of the Portland cement that may be added.

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

Section 412. The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is twelve (12) inches in diameter or less, and no properly located "Y" branch is available, the owner shall at his

expense install a "Y" branch in the public sewer at the location specified by the Superintendent. Where the public sewer is greater than twelve (12) inches in diameter, and no properly located "Y" branch is available, a neat hole may be cut into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of about forty-five (45°) degrees. 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 building 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.

Section 413. 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 under the supervision of the Superintendent or his representative.

Section 414. 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 the Public Sewers

Section 501. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, 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 combined sewers or 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, combined 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 garbage that has not been properly shredded.
- (e) Any ashes, cinders, sand, fruit seeds, 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 works.
- (f) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, 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 or animals, or create any hazard in the receiving waters of the sewage treatment plant.

(h) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials 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 not be required for private living quarters or dwelling units. All 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.

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 5-day Biochemical Oxygen Demand greater than 300 parts per million by weight, or (b) containing more than 350 parts per million by weight of suspended solids, or (c) containing any quantity of substances having the characteristics described in Section 503, 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 State Sanitary Authority of the State of Oregon, 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 accessibly 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.

Section 509. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in Sections 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 provided for in Section 508, 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.

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 therefore by the industrial concern.

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 under charge of disorderly conduct.

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
Penalties

Section 801. Any person found to be violating any provision of this 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 the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 802. Any person who shall continue any violation beyond the time limit provided for in Section 801 shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not exceeding One Hundred (\$100.00) Dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 803. 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 IX
Validity

Section 901. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 902. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE X
Ordinance in Force

Section 1001. The City Recorder is hereby directed to give public notice of this ordinance by publishing same in ~~two consecutive~~^{one} issues of the Sherwood Valley News and by posting printed copies hereof in not less than three public places within the City of Sherwood; said publishings and postings to be accomplished within thirty (30) days from the approval of this ordinance by the Mayor.

Section 1002. This ordinance shall become effective on the thirty-first (31st) day after its passage by the City Council and approval by the Mayor.

Section 1003. Passed by the City Council of the City of Sherwood, State of Oregon, this 19th day of December, 1952.

Approved by the Mayor of the City of Sherwood, this 19th day of December, 1952.

L. H. Sanders
Mayor

Attest:

Floyd C. Shoop
City Recorder