

CITY OF SHERWOOD, OREGON

ORDINANCE No. 567

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE No.530, REGULATING SEWER CONNECTIONS, REQUIRING APPLICATIONS AND PERMITS, PROVIDING FOR CONTRACTORS' BONDS, PROVIDING FOR WORK BY THE CITY, PRESCRIBING SEWER CONNECTION AND INSPECTION FEES, AUTHORIZING PAYMENT OF SUPPLEMENTAL CONNECTION CHARGES FOR SINGLE LOT ASSESSMENTS ON INSTALLMENT PLAN, REPEALING ORDINANCE No.520, AND DECLARING AN EMERGENCY.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: Section 401, Article IV of Ordinance No.530, enacted by the City Council of Sherwood on February 7, 1964, be, and the same is, hereby amended to read as follows:

Section 401. (a) No person, firm or corporation shall make any sewer connection to the sanitary system of the City of Sherwood without making application to the City for a permit. Likewise, no person, firm or corporation shall remodel any existing building or other structure then connected to the sanitary sewer system where sewer outlets are moved or additional outlets are added without making application and securing a permit therefor.

(b) Applications for sewer connection permits shall be made in writing in a form prescribed by the City of Sherwood, shall give the location of the property, the number of the buildings to be connected, the name of the owner, the name of the person or firm engaged to make the sewer connection, and such other information or plans as may be required by the City.

(c) If the application for a permit is approved by the City, the City shall issue a permit which shall specify the location of the property, the type of connection and the nature of the work contemplated and such other information as the City deems necessary. This permit shall be posted in a conspicuous place upon the property designated thereon and shall remain so posted until the satisfactory completion of the work and its approval by the City's Superintendent.

Section 2: Article IV of Ordinance No.530, enacted by the City Council of Sherwood on February 7, 1964 be, and the same is, hereby supplemented by adding thereto a new section reading as follows:

Section 415: Before any person shall obtain a permit to perform any work within the City of Sherwood on any sewer line to be connected to the sanitary sewer system, the contractor or plumber employed by said applicant shall file with the Recorder of the City a bond with good and sufficient sureties in the amount of \$1,000.,

conditioned that said contractor and plumber will fully comply with the ordinances in making connections to the City sewer system and will immediately remove all surplus sand, earth, rubbish and other material, and will immediately replace in a condition satisfactory to the Superintendent, the portion of street so disturbed, dug up or undermined, and that he will keep such portion of the street in good repair at his own expense for the period of one year from date of completion of such work. Contractors and plumbers may file a yearly bond as determined by the City Council in place of a separate bond for each job. Any person, firm or company which fails to provide such a bond as by this ordinance required, shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not exceeding \$200.

Section 3: Section 413 of Article IV of Ordinance No. 530, enacted by the City Council of Sherwood on February 7, 1964, be and the same is hereby amended to read as follows:

Owners required to connect to the city sewers pursuant to this or any other ordinance of the City of Sherwood shall at the time of filing application for a permit for sewer connections as required under Section 1 of this ordinance, in addition to the sewer connection charges, as hereinafter prescribed, pay to the City the sum of \$10.00 to cover the costs of inspection of the work proposed under such permit. The applicant for the connection permit shall thereafter promptly notify the City Superintendent when the building sewer service line is ready for connection to the city's system, and the connection to the city's system shall be undertaken only under supervision of the City Superintendent or his designated representative.

Section 4: Article IV of Ordinance No. 530, enacted by the City Council of Sherwood on February 7, 1964 be, and the same is, hereby supplemented by adding thereto a new section reading as follows:

Section 417: Sewer connection charges for all users within the City who have not, prior to the effective date of this ordinance, made application for connection and paid connection fees, shall be computed as follows:

(a) For each single family dwelling, a connection fee in the sum of \$200.

(b) For each living unit or apartment in a multiple family structure, the sum of \$200. per living unit.

(c) For each:

Non-residential premises (excluding
trailer parks)
Office building
Business or commercial building
Industrial building
School building
Church building
Lodge building
Other place of assembly
Other non-residential building

a minimum connection fee of \$200. for two or less toilets (water closets), plus the sum of \$75. for each additional individual toilet in excess of two connected to or discharging into the City sewerage system.

(d) For each trailer park, a connection fee of \$200. for each improved trailer-house space.

Section 5: Article IV of Ordinance No.530, enacted by the City Council of Sherwood on February 7, 1964 be, and the same is, hereby supplemented by adding thereto a new section reading as follows:

Section 418: Sewer connection charges against every lot, tract and parcel of land from which it is proposed to discharge industrial wastes, including industrial plants, manufacturing plants, laundries, food processing plants, and other similar installations, for which a sewer connection charge is not hereinabove prescribed, shall be fixed by resolution of the City Council after the filing of an application for a sewer connection for such use or uses in a form prescribed by the Council.

Section 6: Article IV of Ordinance No.530, enacted by the City Council of Sherwood on February 7, 1964 be, and the same is, hereby supplemented by adding thereto a new section reading as follows:

Section 419: The owner or occupant in possession or control of any tract of real property through which a City owned sewer line, interceptor or trunk passes, or of any tract of real property which abuts upon a public way in which is located a City owned sewer line, and which tract has not heretofore been assessed by the City for any sewer line to serve said property, shall pay, in addition to those connection charges set forth in Section 417 hereinabove stated, the following supplemental connection fees as applicable:

(a) A supplemental connection charge computed at the rate of \$8.50 per lineal foot for all lineal footage of a City owned sewer line occurring within the boundaries of any tract which abuts both sides of such sewer line.

(b) A supplemental connection charge computed at the rate of \$4.25 per lineal foot for all frontage

of any tract of real property abutting upon a public street, road or highway within which is located the City sewer line to which said tract is to be connected for sewer service.

(c) That upon compliance with the procedural requirements of Sections 223.210, 223.215 and 223.225 Oregon Revised Statutes, any owner of property subjected to a supplemental sewer connection charge as in subsections (a) and (b) hereof provided, shall be entitled to pay such supplemental sewer service charges in the same manner as provided by Sections 223.210, 223.215 and 223.225 O.R.S., with respect to assessments as in said sections stated, and for such purpose the supplemental sewer connection charges shall be considered as if they were assessments.

(d) The City Recorder shall record all applications filed pursuant to Section 223.210 Oregon Revised Statutes, in the manner prescribed by Section 223.225 Oregon Revised Statutes, and such docket so compiled shall stand thereafter as a Lien Docket for the amounts of such unpaid supplemental connection charges or the installments thereof, with interest on the unpaid installments at the rate of six (6%) per cent per annum, against each lot or parcel of land or other property until such supplemental connection charge and interest are paid. All unpaid supplemental sewer connection charges and interest are hereby declared to be a lien on each lot or parcel of land or other property respectively in favor of the City, and such liens shall have priority over all other liens and encumbrances whatsoever.

Section 7: Ordinance No.520 enacted by the City Council under date of February 2, 1962, be, and the same is, hereby repealed.

Section 8: Inasmuch as it is necessary for the peace, health and safety of the people of the City of Sherwood, that immediate provision be made for the administration of sewer matters hereinabove set forth, and to provide continuity of sewer service and insure public revenues to defray the costs of providing sewer service, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect upon its passage by the City Council and approval by the Mayor.

PASSED: By affirmative vote of a majority of all members of the whole Council of the City of Sherwood after being read by sections and in full three separate times, this 11th day of October, 1967.

Marjorie Stewart
Recorder - City of Sherwood

APPROVED: By the Mayor, ~~this 11th day of October, 1967.~~
this 13th day of December 1967

Bill Dickel
Mayor - City of Sherwood