

# OREGON WATER WONDERLAND – UNIT II – SANITARY DISTRICT

## ***ORDINANCE NO. 02-01***

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, REQUIRING APPLICATION, PERMITS AND FEES: PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND DECLARING AN EMERGENCY.

The Oregon Water Wonderland Unit II Sanitary District ordains as follows:

### **SECTION 1: DEFINITIONS**

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

- A. "DISTRICT" shall mean OREGON WATER WONDERLAND – UNIT II – SANITARY DISTRICT.
- B. "BOARD" shall mean the Board of Directors of Oregon Water Wonderland – Unit II – Sanitary District.
- C. "SEWAGE WORKS" shall mean all District owned facilities for collecting, pumping, treating and disposing of sewage.
- D. "ENGINEER" shall mean the Engineer of the district or his/her authorized deputy, agent or representative.
- E. "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.
- F. "SEWER" shall mean a pipe or conduit for carrying sewage.
- G. "PUBLIC SEWER" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.
- H. "SANITARY SEWER" shall mean a sewer, which carries sewage and to which storm, surface waters and drainage, but excludes sewage and polluted industrial wastes.
- I. "STORM SEWER" or "STORM DRAIN" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- J. "SEWAGE TREATMENT PLANT" shall mean any arrangement of devices and structures used for treating sewage.
- K. "INDUSTRIAL WASTES" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- L. "GARBAGE" shall mean solid wastes from the preparation, cooking and dispensing of food, and for the handling, storage and sale of produce.

- M. "PROPERLY SHREDDED GARBAGE" shall mean the wastes from the preparation, cooking and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow and conditions normally prevailing in public sewers, with no particles greater than 1/2 inch in any dimension.
- N. "SERVICE CONNECTION" shall mean a public sewer, which has been constructed to the property line or right-of-way from a public sewer lateral or main for the sole purpose of providing a connection for the building sewer.
- O. "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.
- P. "BUILDING SEWER" shall mean the extension from the building drain to the property line or right-of-way line and connection with the public sewer service connection.
- Q. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under a standard laboratory procedure in 5 days at 20 degrees C. expressed in parts per million by weight.
- R. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- S. "SUSPENDED SOLIDS" shall mean solids that either float on the surface, or are in suspension in water, sewage, or other liquids; and which are removable by the laboratory filtering.
- T. "NATURAL OUTLET" shall mean any outlet into a watercourse, pond, ditch, lake or other body or surface or ground water.
- U. "WATERCOURSE" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- V. "PERSON" shall mean any individual, firm, company, association, society, corporation, or group.

## **SECTION 2: USE OF PUBLIC SEWERS REQUIRED**

- A. It shall be unlawful for any person to place or permit to be deposited in any unsanitary manner upon public or private property within the District or in any area under the jurisdiction of the District any human excrement, garbage or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the District or in any area under the jurisdiction of the District, any unsanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
- C. 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 within the corporate limits of the District or in any area under the jurisdiction of the District.

- D. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the District 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 sewer of the District is hereby required at his/her expense to connect such facilities directly with the proper public sewer, either by gravity or with approved pumping facilities, in accordance with the provisions of this Ordinance, within 180 days after the date of official notice to do so, provided that said public sewer is available to or on the property and/or at a property line of said property. In the event that, during the said period of 10 days, the said owner shall file his/her written objections with the Board against so being required to install said facilities, the District shall not enforce the provisions of this subsection upon said owner so filing his/her objections until the Board shall have, at a meeting thereof, heard the said objections of said owner, and rendered its decision thereon. The said meeting of the Board shall be held not less than 10 days or more than 30 days from and after the date of the filing of said objections with the Board. Not less than 7 days prior to the date set by the Board for said meeting, the District shall give due notice of the date set therefor to said owner. The decision of the Board shall be final and no appeal shall be taken therefrom by said owner except as is provided by law.

### **SECTION 3: CONNECTION CHARGES**

- A. All houses, buildings or properties used for human occupancy, employment, recreation, or other purposes which are required to connect to the public sewer under the provisions of this Ordinance shall pay a connection charge for each separate service connection provided to the property except as defined by Resolution No. 02-02. When one service connection serves two or more buildings, each building shall pay a connection charge.
- B. Prior to connection, Applicant shall pay a connection charge to the District in an amount set by Board Resolution. Said connection fee shall reflect the actual or average costs to the District for said connection.

Beginning January 1, 2003, the connection fee and the monthly service charges will be set annually by the Board of Directors of the District.

- C. The Board within its judgment may provide that area or areas within the district not served by the sewage system but desiring to be served by said sewer system may allow the owners of said area or areas to construct the sewer facilities on said properties all in accordance with plans and specifications as approved by the Engineer of the District, and in accordance with plans and specifications approved by the State Department of Environmental Quality and Deschutes County and installed in a manner satisfactory to and approved by a person authorized to inspect said sewer installations by the District.

It being further provided that in the event of a new service connection to the present sewer facilities of the District, or in the event of any extension of the sewer system to serve a user who may be a large water user, then and in that event, the Board as provided shall fix the connection charge to be paid by said sewer users, said Board to take into consideration the gallonage of water to be used by said business and any and all other factors which may affect the ultimate use of the sewage works of the District.

In all those areas where expansion is done by private persons under supervision of the District as hereinabove provided for in this section, the District and the persons doing the work shall agree as to the time within which said sewer extension work shall be done and upon completion of said work and acceptance thereof by the District, said sewer mains, laterals, and connections shall be turned over to the District free and clear of any and all

expenses for the construction and installation thereof. The person, persons, or company doing the work before turning over the sewers, mains and laterals to the District shall prepare a map or plat showing all of the property served by said facilities and the lots, parts of lots, or parcels of ground actually connected to said sewers. Each of the owners of said lots, parts of lots, or parcels of land shall, when connecting to the sewer, pay to the District a connection charge for the type of property served as provided for in Section 3 C of this Ordinance.

It is further provided that all other properties served by said sewer installation, but which do not have a service connection running from the sewer mains or laterals to the property lines, shall, *prior to connecting up*, pay a connection charge.

- D. In the event a further expansion of the District sewer system be made by the District itself, the connection charge shall be as in Section 3 C.

#### **SECTION 4: PRIVATE SEWAGE DISPOSAL**

- A. Where a public sanitary sewer is not available under the provisions of Section 2 D, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Oregon State Department of Environmental Quality, the Oregon State Board of Health, and the Oregon Plumbing Speciality Code.
- B. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 2 D, 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, except as provided below, or the Board shall otherwise permit. Where existing buildings are too low to be served by gravity by an available sewer, the existing septic tank facilities shall be maintained in use and, when so ordered by the District, under Section 2 D, approved pumping facilities shall be installed to pump the septic tank effluent into the available sanitary sewer system.
- C. The provisions of this Article shall be in addition to and not in derogation of the requirements of general law.

#### **SECTION 5: BUILDING SEWER AND CONNECTIONS**

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereto and no person, firm or corporation shall make any connection to any part of the sewer system without first making an application and securing a permit therefor.
- B. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation.
- C. Old building sewers may be used in connection with new buildings, or new building sewers only when they are found upon examination and testing by the Engineer, to meet all requirements of this ordinance.
- D. The size, slope, alignment, materials of constructions 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 Oregon Plumbing Speciality Code or other applicable rules and regulations of the District.

- E. Building sewer connections shall be made on the house side of the septic tank to the existing cast iron soil pipe, or approved existing A.C. or other pipe. When connecting cast iron soil pipe to asbestos-cement or other pipe, a special approved adaptor shall be used. Connection of the building sewer to the District sewer at the property line shall be with an approved adaptor.
- F. The first fitting at the connection with the public sewer and the building sewer shall be an A.C. or PVC tee, furnished by the owner. The tee branch shall extend vertically to within 1 foot of finished ground surface and shall be sealed with an approved cap or plug. This riser shall be used for inserting a test plug for water testing the building sewer and as an auxiliary cleanout. Backfilling around the riser shall be done in such manner so as not to damage the pipe. Applications for exceptions to this rule may be made to the District.
- G. The size and slope of the building sewer shall be subject to the approval of the District, but in no event shall the diameter be less than four (4) inches. The slope of such four-inch pipe shall not be less than one-eighth (1/8) inch per foot.
- H. The building sewer shall be laid at uniform grade and in straight alignment insofar as is possible. Changes in direction shall be made only with curved pipe no greater than "45-degree long radius bends". No 45-degree or 90-degree short radius elbow shall be used. All pipe shall be laid on a four (4) inch granular base of  $\frac{3}{4}$  minus rock, pea gravel, sand or combination thereof and the trench backfill to six (6) inches over the pipe.
- I. In all buildings in which any building drain is too low to permit gravity flow to the public sewer sanitary sewage carries by such drain shall be lifted by approved artificial means and discharged to the building sewer.
- J. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Engineer. No backfilling of the trench shall be done until receipt of written approval from the District.
- K. All joints and connections shall be made gastight and watertight.
- L. The applicant for building sewer permit shall notify the District when the building sewer is ready for inspection and connection to the public sewer. After final approval and testing of the building sewer by the District, the owner shall make the final connection to the building drain as defined in Section 1, unless otherwise authorized by the District. A 30 -minute internal hydrostatic test will be required on all building sewers before connection is made to the building drain. All water, plugs and other facilities for making the test shall be furnished by the applicant. Minimum head over the top of the pipe shall be two (2) feet and maximum allowable leakage shall be four (4) gallons per hour per 100 feet.
- M. No plumbing contractors shall be allowed to make connections of private sewers to the sewage works of the District on behalf of any owners of property therein without first posting with the district a bond in the sum of \$1,000.00, indemnifying the District and the inhabitants thereof against any loss or damage which the District or the inhabitants thereof might suffer by reason of the action of said contractors in making said connections.

## **SECTION 6: USE OF PUBLIC SEWERS**

- A. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process to any sanitary sewer.
- B. 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.
- C. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described water or wastes to any public sewer.
  - a. Any liquid or vapor having a temperature higher than 150 degrees C.
  - b. Any gasoline, grease, oils, paint, benzine, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
  - c. 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 obstructions to the flow in sewers or other interference with the proper operation of the sewer works.
  - d. 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.
  - e. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
  - f. 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.
  - g. Any noxious or malodorous gas or substance capable of creating a public nuisance, including the contents of septic tanks and cesspools, without written consent of the District.
- D. 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 amount, or any flammable wastes, sand, and other harmful ingredients, except that such interceptors shall not be required for private living quarters. All interceptors shall be of a type and capacity approved by the engineer and shall be located so as to be readily and easily accessible for cleaning and inspection, and shall be maintained by the owner, at his/her expense, in continuously efficient operation at all times.
- E. 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 1, or (c) containing more than 350 parts per million by weight of suspended solids, or (d) having an average daily flow greater than 2 percent of the average daily sewage flow of the District shall be subject to the review and approval of the Engineer, the owner shall provide, at his/her expense, such preliminary treatment as may be necessary. Plans, specifications, and any other pertinent information relating to the proposed preliminary treatment facilities shall be submitted for the approval of the engineer and of the Oregon State Sanitary

Authority, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

## **SECTION 7: PROTECTION FROM DAMAGE**

- A. No person, or persons, shall unlawfully, maliciously, willfully, or as the result of gross negligence on his/her or their part, break, damage, destroy, uncover, deface or tamper with any structure, facility, appurtenance or equipment which is part of the sanitary sewer system of the District. This section does not apply, however, to any employee of the district during the time he/she is engaged in his/her official employment, nor to any person or persons authorized to work in any manner thereon.

## **SECTION 8: POWERS AND AUTHORITY OF INSPECTORS**

- A. The Engineer and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter upon all properties for the purposed of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this Ordinance at such times and during such hours that the Board shall approve.

## **SECTION 9: PENALTIES**

- A. Any person or persons found in violation of any provision of this Ordinance shall, upon conviction thereof, be deemed guilty of a violation and fined in an amount not to exceed \$500 for each violation. Each day in which any violation continues shall be deemed a separate punishable violation.

## **SECTION 10: RECOVERY OF DAMAGES**

- A. Any person or persons, who, as the result of violating any of the provisions of this Ordinance, cause any expense, loss or damage to the District, shall immediately become liable to the District for the full sum of such expense, loss or damage. The Board may, at its discretion, proceed against any such person or persons, in any court of competent jurisdiction, in a civil action to be brought in the name of the District, for the recovery of the full sum of any such expense, loss, or damage sustained by the District.

## **SECTION 11: VALIDITY**

- A. The invalidity of any section, clause, sentence, or provisions of this Ordinance shall not affect the validity of any part of this Ordinance which can be given effect without such invalid part or parts.

## **SECTION 12: MONTHLY SEWER SERVICE CHARGES**

As authorized by ORS 450.130, the Oregon Water Wonderland Unit II Sanitary District will levy sewer service charges against property within the District that is connected to the District's system for the purpose of financing the construction, operation and maintenance of the sewage collection and disposal system. The sewer service charge will be assessed and billed monthly and may be collected and enforced as provided in ORS 454.225. The District is authorized to adopt policies and procedures necessary to implement the monthly sewer service charge. The amount of the monthly sewer service charge will be set by District Board resolution and will comply with ORS 294.160(1).

**SECTION 13:** It is hereby adjudged and decreed that existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health and safety of the District and an emergency is hereby declared to exist, and this Ordinance shall take effect and be in full force and effect from and after its passage.