

ORDINANCE NO. 260

AN ORDINANCE REGULATING CONNECTION TO THE PUBLIC SEWER SYSTEM; PROVIDING RULES AND REGULATIONS FOR OPERATION OF THE SEWER SYSTEM; PROVIDING PENALTIES FOR VIOLATIONS; AUTHORIZING AGREEMENTS WITH THE CITY OF JOHN DAY; REPEALING ORDINANCE NO. 244 AND 249.

The Town of Canyon City ordains as follows:

Section 1. Definitions.

BOD (Denoting Biochemical Oxygen Demand). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20) C, expressed in milligrams per liter.

Building Drain. 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 five feet (5') (1.5 meters) outside the inner face of the building walls.

Building Sewer. The extension from the building drain to the public sewer or other place of disposal.

DWELLING UNIT. A building, or portion of a building, consisting of one or more rooms including a bathroom and kitchen facilities, which are arranged, designed or used as living quarters for one or more household. (Planning Document No. LU-94,6-14-95)

Effluent. Liquid matter drained from a sewer system.

Garbage. Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

Private Service Line. That portion of an individual service line running from the sewer main to the building drain.

Properly shredded garbage. The wastes from preparation, cooking, and dispensing of foods 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 particles greater than one-half inch (1.27 centimeters) in any dimension.

Public Sewer System. A pipe or conduit for carrying sewage, consisting of all conduits placed or accepted by the Town of Canyon City for public usage.

Sanitary Sewer. A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

Sewer Main. A collector line running along a public right of way or street, serving more than one user.

Sewer stub out. That portion of an individual service line from the sewer main to the best evidence of the private property line, face of the retaining wall, or a maximum of 50 feet, whichever comes first. Stub-outs would then be carried underneath the sidewalk to the property owner's side of the sidewalk or the normal property line. Stub-out will not be less than 4" in diameter.

Shall, May. "Shall" is mandatory; "May" is permissive.

Slug. 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 15 minutes more than five times the average 24-hour concentration of flows during normal operation.

Storm Drain (Sometimes Termed "Storm Sewer). A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Suspended Solids. 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.

User. Any person, firm, company, association, society, corporation, or group having a building or buildings connected to the sewer system.

Watercourse. A channel in which a flow of water occurs, either continuously or intermittently.

Section 2. Use of Public Sewers Required.

(1) Wherever there is now, or may hereafter be, constructed in the Town of Canyon City a public sewer system for the purpose of carrying of sewage, the owner or owners of the property abutting on any street or alley in which the sewer is constructed, or whose property is adjacent to or along the line of the sewer constructed within a private easement and is within a distance of 200 feet thereof and is accessible thereto, shall connect the houses or buildings on the property to said sewer system.

(2) Parcels of property under one ownership but having more than one building used as separate living units, separate businesses or other institutions where sanitary facilities are installed, shall be required to have separate stub-out sewer

connections for each building on the property; 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, when so approved by the council.

(3) Whenever the Town of Canyon City notifies in writing any owner or owners of property to connect to the public sewer the building or buildings, the owner or owners shall make application, pay the prescribed fees, and complete the sewer connection within 60 days from the date of the completion of the sewer stub-out by the City, unless for good and sufficient reason the City shall in writing extend the time for the completion on the connection.

(4) 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 3. Application Procedures.

(1) If a new connection to the city sewer system main line is desired, permission of the Maintenance Superintendent and approval of the proposed connecting facilities must be obtained and the new connection charge paid in full prior to the issuance of the permit. Applications shall be made in writing to the Town of Canyon City by the owner or authorized agent, shall state the name and mailing address of the applicant and the user, the name and address of the legal owner or owners of the property, the street address of legal description of the property, the number and location or locations of the required sewer stub out, and the nature of the use of the buildings on the property, i.e., residence, office, school, etc.

(2) Application forms may be obtained at city hall. Applications shall be completed and returned, along with the required fee. Upon review by, and approval of the council, a permit will be issued to the applicant for connection to the sewer system.

Section 4. Construction Requirements.

(1) After approval and issuance of permit to the applicant, the City will construct the sewer stub-out in the specified location and all costs and expenses incident to installation, reinstallation, repair, maintenance and connection of the building sewer shall be borne by the applicant. The applicant shall indemnify the City from any loss or damage that may directly or indirectly be caused by the City, including without limitation to the sewer system and any claims of damage by any third person, whether the applicant or the city installs, reinstalls, repairs or maintains all or any portion of the building sewer. Any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(2) The sewer stub-out provided by the City shall be from the sewer main to the best evidence of the private property line, retaining wall, or a maximum of 50 feet, whichever comes first. All stub-outs would then be carried underneath the sidewalk to the property owner's side of the sidewalk or the normal property line and a clean-out shall be installed.

(3) The user shall be responsible for installation of a private service line from the end of the stub-out to the building to be served. The private service line shall be constructed in accordance with the procedures of the Oregon State Building and Plumbing Codes or other applicable rules and regulations of the City or State. All such connections shall be made gas tight and watertight.

(4) The size, grade, slope, alignment, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the City and State.

(5) Whenever possible, the service line shall be to the building at an elevation below the basement floor. In all buildings in which the drain is too low to permit gravity flow to the public sewer, it shall be the responsibility of the applicant to install a pumping system adequate for discharging the sewage carried by the drain into the public sewer. All such pumping systems shall be subject to approval by the Building Codes Agency.

(6) The Town of Canyon City shall be notified when the private service line is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Maintenance Superintendent or his representative. Reasonable notice shall be given to the Town of Canyon City to allow inspection of the completed private service line prior to covering.

(7) The Maintenance Superintendent or his representative shall have full power to suspend the work of any drain layer for neglect to properly perform the work as required by this ordinance, and shall at once report the fact to the council, who may permanently suspend the license of any drain layer.

Section 5. Regulations for Use and Operation.

(1) No person, firm or corporation shall make any sewer connection to the sanitary sewer system of the Town of Canyon City without making application and securing a permit therefor.

(2) The Town of Canyon City will not be responsible for maintenance of any private service lines connected to the public sewer system of the Town of Canyon City.

(a) If it is found that digging on city property will be necessary to correct a problem, the city must be notified before any work is done. The city maintenance department will be available to do needed excavation at the expense of the owner. If the owner chooses to do his own digging, the streets, shoulders, sidewalks, etc. must be returned to their prior condition and be inspected and approved by the Town of Canyon City. If necessary, the city will do required reconstruction and bill the owner for expenses.

(b) If any blockage of the private sewer line occurs on city property and it is determined by the city that the owner is in no way at fault (such as a broken pipe), the city will assume responsibility for the repair of the line.

(3) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

(4) 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 approved by the Maintenance Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Maintenance Superintendent, to a storm sewer or natural outlet.

(5) No person shall discharge or cause to be discharged any of the following waters 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 3.5 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 and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(6) No person shall discharge or cause to be discharged the following substances, materials, waters or wastes if it appears likely in the opinion of the maintenance superintendent or council 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 an opinion as to the acceptability of these wastes, the superintendent or council 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 sewers, nature of the sewage treatment process, capability of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

(1) Any liquid or vapor having a temperature higher than 150 degrees F (65 degrees C).

(2) Any water or waste containing fats, gas, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees and 150 degrees F (0 degrees and 65 degrees C).

(3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the maintenance superintendent or council.

(4) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

(5) 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 plant exceeds the limits established by the maintenance superintendent or council for such materials.

(6) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may established by the superintendent or council 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.

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent or council in compliance with applicable state or federal regulations.

(8) Any waters or wastes having a pH in excess of 9.5.

(9) Materials which exert or cause:

(a) 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).

(b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(c) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

(d) Unusual volume of flow or concentration of wastes constituting "slugs" as defined in this ordinance.

(e) 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 requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 6. Industrial Cost Recovery.

In the event, and at such time that the industrial wastes as defined under section 35.905-8 of the Construction Grant Regulations, 40 CFR Part 35, are discharged to the facilities constructed under EPA Grant No. C-410600, the Town of Canyon City shall develop and adopt an industrial cost recovery system acceptable to the U. S. Environmental Protection Agency which shall comply with the requirements of P. L. 92-500 and all regulations and guidelines pertaining thereto. In the interim, the Town of Canyon City shall submit an annual certification affirming the non-existence of industrial discharges to this facility and shall maintain such records and documents as necessary to substantiate the certification.

Section 7. Tampering with Systems.

No unauthorized person, firm, association, or corporation shall open any manhole or sewage lift station or enter into, or interfere or tamper with any sewer, manhole, sewage lift station, or city property serving the sewer system, or break or violate any of the provisions of this ordinance or any other rules or regulations adopted by resolution or ordinance prohibiting the depositing in, or disposal of damaging substances, through the sewage system.

Section 8. Monthly Fees and Charges.

(1) Connection fees and user charges are imposed for the service to be provided by the sewer system, the amounts of which shall be determined by resolution of the council and may be changed from time to time.

(2) The schedule of fees and appropriate adjustments shall be made a necessary to provide sufficient funds to cover operation, maintenance, and repair costs of the sewer system.

Section 9. Collection of Fees and Charges.

(1) Monthly user charges shall be due and payable at the city hall on the 15th day of each month for the previous month. Users of the sewer system will be billed at the same time as users of the city water system. Water service may be discontinued after due notice to the user, to any premises where the sewer charges have not been paid within 30 days following the date of billing. Water service shall not be resumed until the charges are paid in full, including any sum the council may designate as a fee for turning on the water service.

(2) The City may use such means of collection of sewer charges or sewer connection fees as are provided by the laws of the state or authorized by the charter and ordinances of the Town of Canyon City. Any overdue sewer charges or fees further may be collected, at the option of the city by an action of law in the name of the Town of Canyon City.

Section 10. Penalty.

A violation of a provision of this ordinance is punishable by a fine not to exceed \$500. A firm, association or corporation found guilty of a violation of this ordinance may be punished by a fine not to exceed \$1000.

Section 11. Sewer System Funds.

(1) The proceeds of Sewer Project Bonds, any grants or other monetary benefits received from federal or state governmental agencies, all connection fees and user charges imposed by the town,

Section 13. Repeal.

Ordinance No. 244 enacted May 16, 1990 is repealed.

Passed by the Common Council and approved by the Mayor July 13, 1995.

Russell Bratcher
Russell Bratcher, Mayor

Attest:

Tamra M. Day
Tamra M. Day, City Recorder

Amended By
OKD 264
12-19-1995