

TITLE 13. MASTER UTILITIES PLAN

CHAPTER 13.24

SEWER SERVICE

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13.24.710	DEFINITIONS

For the purpose of this chapter, the following words and phrases shall be defined as follows, unless the context specifically indicates otherwise:

APARTMENTS: Means a structure designed for permanent or semi-permanent occupancy by individuals or families, each rental unit of which contains minimum kitchen, sleeping, and sanitary facilities.

APPROVING AUTHORITY: Means the City engineer or his duly authorized deputy, agent, or representative.

ASTM SPECIFICATIONS: Means the standard specifications or methods of the American Society for Testing Materials or the serial designation indicated by the number, and unless otherwise stated, the latest adopted revision of said specification or method.

BOD or BIOCHEMICAL OXYGEN DEMAND: Means the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20°) Celsius, expressed in milligrams per liter.

BUILDING DRAIN: Means that part or 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 (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER: Means the extension from the building drain to the public sewer or other place of disposal.

BUSINESS USER: Means a single structure designed for a single business operation.

COMBINED SEWER: Means a sewer receiving both surface runoff and sewage.

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CONNECTION CHARGE: Means the fee levied by the city to cover the cost of inspection and construction of the public sewer lateral to the property which is to be serviced, and for a portion of the construction cost of the lateral sewers and other administrative costs.

DEQ: Means the Department of Environmental Quality of the state.

GARBAGE: Means solid wastes from the domestic and commercial preparation, cooking, and dispensing of feed, and from handling, storage, and sale of produce.

HOTEL or MOTEL: Means a structure containing essentially single rental rooms for transient occupancy.

INDUSTRIAL USER: Means any person discharging industrial wastes.

INDUSTRIAL WASTES: Means the liquid wastes from any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under Divisions A, B, D, E, and I. A user in the divisions listed may be excluded if it is determined that it will produce primarily domestic wastes.

MULTIPLE BUSINESS USER: Means one structure, housing several separate business enterprises and connected to a single water meter.

MULTIPLE DWELLINGS: Means single or multiple buildings designed and used for occupancy by two or more separate individuals or families.

NATURAL OUTLET: Means any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

pH: Means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDDED GARBAGE: Means the wastes from the preparation, cooking, and dispensing of food 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 particle greater than 1.27 centimeters in any dimension.

PUBLIC SEWER: Means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority. It shall also include sewers within or outside the city boundaries that serve one or more persons and ultimately discharge into the city sanitary or combined sewer system, even though those sewers may not have been constructed with city funds.

RESIDENTIAL DWELLING: Means a single structure or building containing one or more rooms and intended to be occupied by one individual or one family doing its own cooking.

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ROOMING AND/OR BOARDING HOUSE: Means a structure designed for permanent or semipermanent occupancy by individuals and/or families, each rental unit of which does not contain minimum kitchen and/or sanitary facilities.

SANITARY SEWER: Means a sewer which carries sewage and to which storm surface and groundwaters are not intentionally admitted.

SERVICE CONNECTION: Means a public sewer which has been constructed to the property line or right-of-way line from a public sewer lateral or main for the sole purpose of providing a connection for the building sewer.

SEWAGE: Means 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.

SEWAGE TREATMENT PLANT: Means any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS: Means all facilities for collecting, pumping, treating, and disposing of sewage.

SEWER: Means a pipe or conduit for carrying sewage.

SLUDGE: Means 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 fifteen (15) minutes more than five (5) times the average twenty-four hour concentration or flows during normal operations.

STORM DRAIN or **STORM SEWER:** Means a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

SUPERINTENDENT: Means the city public works superintendent or his authorized deputy, agent, or representative.

SUSPENDED SOLIDS: Means 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.

TRAILER COURT: Means an area designed for the parking of house trailers and mobile homes on a temporary, rental basis.

WATERCOURSE: Means a channel in which a flow of water occurs, either continuously or intermittently. (prior code section 5.410)

13.24.720

APPLICATION

1. Each applicant for sewer service shall sign an application form provided by the city. The application is a written request for service and does not bind the city to serve.

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2. Any changes in the above-mentioned service shall require a new request for public utilities. (Ord. 630, section 3[part], 1986: prior code section 5.030)

13.24.730 SERVICE SPECIFICATIONS GENERALLY

The city shall furnish and install sewer service consistent with the standard specifications of the city. (Ord. 630, section 3[part], 1986: prior code section 5.034) Sewer service shall be limited and shall consist of a single sewer service per lot unless approved in writing by the Director of Public Works or the Stayton City Council. (Ord. 802, August 18, 1999)

13.24.740 SEWER MAIN INSTALLATION

1. Where the new sewer main is in the public right-of-way, the standard service shall extend to the right-of-way line nearest the property to be served for the standard fee, provided that the length of service line does not exceed the width of the right-of-way.
2. Where the sewer main is on an easement or publicly owned property other than designated right-of-way, the services shall be installed to the boundary of the easement or public property by the city, provided that the length of service does not exceed thirty (30) feet. (Ord. 630, section 3[part], 1986: prior code section 5.035)

13.24.750 OWNERSHIP, INSTALLATION, AND MAINTENANCE

The city shall install and maintain for one year from the date of final inspection all sewer service connections. Maintenance after this date becomes the responsibility of the user. (Ord. 630, section 3[part], 1986: prior code section 5.031)

13.24.755 PERMITTED DISPOSAL: RECREATIONAL VEHICLE WASTE DISPOSAL SITES

Where permitted within the city or in any area under the jurisdiction of the city a revocable permit for commercial waste disposal sites for recreational vehicles may be issued by the city's public works director for the purpose of disposal of domestic waste in the city's sanitary sewer system. Permitted discharges shall be limited to untreated domestic waste drained directly from the vehicle's holding tank into the sanitary sewer. The director may issue the permit subject to necessary conditions and restrictions to ensure compliance with applicable regulations. Fees for commercial disposal may be established by ordinance or resolution. Disposal site operators shall be responsible for keeping daily discharge records in gallons per day (Ord. 732, §11, October 1994).

13.24.760 DISPOSAL OF WASTES RESTRICTED

1. It is unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the city or in any area under the jurisdiction of the City any human or animal excrement, garbage, or other objectionable waste.

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2. It is unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city, any sewage or other polluted waters except where suitable treatment has been provided in accordance with subsequent provisions of this chapter. (prior code section 5.415)

13.24.770 USE OF PUBLIC SEWERS REQUIRED

1. Except as provided in this article, it is 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 City or in any area under the jurisdiction of the city.
2. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes 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 sewer of the city, is required at his own expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer, either by gravity or with approved pumping facilities within ninety (90) days after the date of official notice to do so, provided that a public sewer is available to or on the property and/or at a property line of said property and the structures or buildings are within one hundred meters of the public sewer. (prior code section 5.417)

13.24.780 EXCEPTIONS TO USE OF PUBLIC SEWERS

1. Within ninety (90) days of notification under Section 13.24.780 of this chapter, a property owner may file a written objection with the city administrator against being required to install said facilities. In that case, the city shall not enforce the provisions of section 13.24.780 upon the owner until the council has met to hear the owner's objections and rendered its decision thereon.
2. Such a meeting shall be held not less than ten (10) nor more than forty-five (45) days from the date of filing said objections with the administrator. Not less than seven (7) days prior to the meeting, the council shall give due notice of the date to the complaining owner.
3. The council may, after consideration of the objections, waive present connection to the public sewer if, in the council's judgment, there would be hardship or an undue expense or difficulty involved to either the objecting party or to the city or if there are other factors present which would make compliance impractical.
4. The decision of the council is final and no appeal shall be taken therefrom except as is provided by law.
5. Whenever an exception has been allowed to the requirement to connect to the public sewer, the administrator shall make a notation thereof in the city records. The council may at any time review such exceptions, and if the council decides that an exception should no longer be permitted, official notice to connect shall be sent to the property owner. Said owner shall then be required to connect to the city sewer, subject to the provisions of this section for objection and hearing. (prior code 5.420)

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13.24.790

EXTENSIONS: CONSTRUCTION BY PRIVATE PROPERTIES

1. The council, within its judgment, may provide that any area within the city not now served by the sewer facilities may allow the property owners in the area to construct the sewer facilities on said properties.
2. The construction shall be in accordance with plans and specifications approved by the city engineer and in accordance with plans and specifications approved by the DEQ. Installation of any equipment shall be in a manner satisfactory to and approved by a person authorized by the city to inspect said sewer installation.
3. When sewer installation is done by private persons and not by the city, and when all of the cost and expenses of installation and making the connections to the improvements located in the area served by the sewer are paid by such private persons, then there shall be no connection charge made to any residence or unit of multiple residence when such residences are connected to the municipal water system.
4. Where sewer expansion is done by private persons under supervision of the city, the city and the persons doing the work shall agree as to the time within which said sewer extension work shall be done. Upon completion of the work and acceptance thereof by the city, all sewer mains, laterals, and connections shall be turned over to the city free and clear of any expenses for their construction and installation. The person doing the construction shall, before turning over the sewer system to the city, 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 hooked up to said sewers.
5. 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, when connecting up, pay a lump sum connection charge of one-hundred fifty dollars (\$150.00), or such other sum as the council may from time to time provide. (prior code section 5.535)

13.24.800

DESTRUCTION OF PREMISES SERVED BY SEWER SYSTEM

1. Whenever any improvement which is connected to the municipal sewer system is wholly destroyed by fire or other casualty or is torn down and is no longer connected to the sewer system, the owner thereof shall notify the city administrator in writing, stating the date of destruction or removal, and shall pay up all sewer service charges that have accrued to the date of the notice.
2. Thereafter there shall be no monthly service charge made to said property until new improvements are placed on the premises and are connected to the sewer system.
3. The city administrator, upon receipt of notice of a destruction or removal as specified in Subsection 1. of this section, shall verify such destruction or removal, shall make proper notation thereof in the appropriate records of the city, and shall remove such property from the monthly sewer charges until the property is again connected to the municipal sewer system.

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4. The owner of the property covered under any provisions of this sections shall be responsible for capping and plugging any unused sewer line. (prior code section 5.540)

13.24.810 DAMAGING OF SYSTEM PROHIBITED

1. No person shall unlawfully, maliciously, willfully, or, as the result of gross negligence on his 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 city.
2. This section shall not apply to any city employee during the time he is engaged in his official employment, nor to any persons authorized to work in any manner on the city sewer system. (prior code section 5.560)

13.24.820 APPEALS

Any person aggrieved by any of the provisions of this chapter shall state their complaint in writing to the council, which shall hold a hearing to determine the issue involved and make suitable adjustments as it may deem fit. (prior code section 5.565)

13.24.830 INSPECTORS: POWERS AND DUTIES

1. The superintendent and other duly authorized city employees bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the applicable provisions of this chapter.
2. The superintendent or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
3. The superintendent and other duly authorized city employees bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
4. While performing the necessary work on private properties as detailed in this section, the superintendent or duly authorized city employee shall observe all safety rules applicable to the premises established by the company. The company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as

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such may be caused by negligence or failure of the company to maintain safe conditions as required by section 13.24.1040 of this chapter. (prior code section 5.550)

13.24.840 SEPARATE SYSTEMS REQUIRED

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. (prior code section 5.430)

13.24.850 REPAIRS TO SYSTEM

1. It shall be the responsibility of the property owner to repair or replace any building sewer showing any defect including, but not limited to, leaks, breaks, settlement, or stoppages.
2. Work on any repairs or replacements under this article shall begin within five (5) days after notification by the city and shall be accomplished without unnecessary delay.
3. If the work is not begun within the specified time or the work does not meet the City specifications in the opinion of the city engineer, the city shall do the work or cause the work to be done. The persons warranting the original construction shall be liable to the city for any costs of such repair.
4. If an emergency is caused by any defect in the sewer or if such defect endangers persons, property, or city utilities or equipment, the city may undertake the necessary repairs without notification to any person, and the costs thereof shall be paid by the person warranting the original construction. The city shall be the sole judge of whether an emergency exists. (prior code section 5.433)

13.24.860 EXCAVATIONS: PUBLIC SAFETY MEASURES

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. (prior code section 5.436)

13.24.870 INSPECTION, TESTING, AND CERTIFICATION

1. After a sewer is constructed, but before backfill is in place, the applicant for a building sewer permit shall notify the superintendent that the sewer is ready for inspection and connection to the public sewer.
2. A three-minute interval 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

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furnished by the applicant. Minimum head over the top of the pipe shall be two feet and maximum allowable leakage shall be four (4) gallons per hour per one-hundred feet.

3. The superintendent shall conduct such other testing and inspection as may be necessary to ensure compliance with the standard specifications and other applicable law.
4. After final approval and testing of the building sewer by the superintendent, the owner shall make the final connection to the building drain and complete the sewer, including manholes, service lines, and backfill, unless instructed otherwise by the superintendent.
5. When any sewer has been formally accepted by the superintendent as conforming to all state and city requirements, the superintendent shall so certify to the city administrator, who shall keep a record of such sewer installation acceptances with the date of acceptance noted thereon. (prior code section 5.435, 5.437)

13.24.880 PRIVATE SEWERS: PERMITTED WHEN

Where a public sanitary or combined sewer is not available under the provisions of Section 13.24.770 of this chapter, the building sewer shall be connected to a private sewage disposal system, complying with the provisions of Sections 13.24.890 through 13.24.920 of this chapter. (prior code section 5.450)

13.24.890 PERMIT REQUIRED: INSPECTION FEE

1. Before commencing construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the superintendent.
2. 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 which the superintendent may deem necessary.
3. A permit and inspection fee as provided by the county and state schedule shall be paid to the city at the time the application is filed. (prior code section 5.453)

13.24.900 INSPECTION

1. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent.
2. The superintendent shall be allowed to inspect the work at any stage of construction and, in the 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.

13.24.910 CONSTRUCTION AND OPERATION STANDARDS

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1. The type, capacity, location, and layout of a private sewage disposal system shall comply with all recommendations of the DEQ.
2. 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 three-thousand square meters.
3. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
4. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the city.
5. No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the health officer or by state law or regulations. (prior code section 5.457)

13.24.920 CONNECTION TO PUBLIC SYSTEM: REQUIREMENTS

1. When a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with other provisions of this chapter relating to sewers, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned, cleaned of sludge, and filled with clean bank-run gravel or dirt.
2. Such abandonment shall take place within sixty (60) days of the time public sewer becomes available.
3. 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 city, approved pumping facilities shall be installed to pump the septic tank effluent into the available sanitary sewer system. (prior code section 5.460)

13.24.930 SURFACE WATERS AND ROOF RUNOFF

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or polluted industrial process waters to any sanitary sewer. (prior code section 5.465[1])

13.24.940 UNPOLLUTED WATERS

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, on approval of the superintendent, to a storm sewer, combined sewer, or natural outlet. (prior code section 5.465[2])

13.24.950 PROHIBITED DISCHARGES

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No person shall discharge or cause to be discharged any of the following described waters and wastes to any public sewers:

1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas;
2. 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, to 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) milligrams per liter, as NC in the waters as discharged to the public sewer;
3. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;
4. 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, 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. (prior code section 5.465[3])

13.24.960

RESTRICTED DISCHARGES

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely, in the opinion of the superintendent, 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:

1. Any liquid or vapor having a temperature higher than sixty-five degrees (65°) celsius;
2. Any water or wastes containing fats, gas, grease, or oils, whether emulsified or not, in excess of one-hundred milligrams per liter, or containing substances which may solidify or become viscous at temperatures between zero and sixty-five degrees (65°) celsius;
3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower or greater shall be subject to the review and approval of the superintendent;
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 works exceeds the limits established by the superintendent for such materials;
6. Any waters or wastes containing phenols or other taste or odor-producing substances in such concentrations exceeding limits which may be established by the superintendent as necessary, after

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treatment of the composite sewage to meet the requirements of the state, federal, or other public agencies of jurisdiction for 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 in compliance with applicable state or federal regulations;
8. Any waters or wastes having a pH in excess of 9.0;
9. Materials which exert or cause:
 - a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's 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";
10. Waters or wastes containing substances which are not amendable to treatment or reduction by the sewage treatment processes employed, or are amendable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters. (prior code section 5.465[4])

13.24.970

DETERMINATION OF ACCEPTABILITY OF WASTES

1. In forming an opinion as to the acceptability of the wastes listed under Section 13.24.960 of this article, the superintendent shall give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction in the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors.
2. If the superintendent determines that the substances listed under Section 13.24.960 of this article are not acceptable by the criteria listed in that section, he may:
 - a. Reject the wastes;
 - b. Require pretreatment to an acceptable condition for discharge to the public sewers;
 - c. Require control over the quantities and rates of discharge; and/or
 - d. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges. (prior code section 5.467)

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13.24.980 PRETREATMENT OR FLOW-EQUALIZING FACILITIES GENERALLY

1. If the superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the superintendent and subject to the requirements of all applicable codes, ordinances, and laws.
2. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense. (prior code section 5.470[1, 3])

13.24.990 GREASE, OIL, AND SAND INTERCEPTORS

Grease, oil, and sand interceptors shall be provided when, in the superintendent's opinion, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients, provided 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. (prior code section 5.470[2])

13.24.1000 REVIEW AND ACCEPTANCE REQUIRED WHEN:

Review and acceptance of the approving authority shall be obtained prior to the discharge into the public sewers of any water or wastes having:

1. A total of more than thirty (30) pounds of suspended solids in any one day;
2. A total of more than thirty (30) pounds of BOD in any one day. (prior code section 5.480[1])

13.24.1010 REPORT REQUIRED

Each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the approving authority and the Oregon State Department of Environmental Quality a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged. (prior code section 5.480[2])

13.24.1020 PRELIMINARY TREATMENT FACILITIES

1. The person discharging industrial wastes into the public sewer system at his expense shall provide preliminary treatment or processing facilities which are in conformance with the most recent U.S. Environmental Protection Agency guidelines or regulations.
2. Plans, specifications, and any other pertinent information relating to proposed pretreatment or processing facilities shall be submitted for approval to the approving authority and to the Oregon State Department of Environmental Quality prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers. (prior code section 5.485)

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13.24.1030 FLOW RECORDS REQUIRED

The person discharging the waste shall keep flow records as required by the city and shall provide qualified personnel to properly maintain and operate the facilities. (prior code section 5.502)

13.24.1040 MEASUREMENT AND SAMPLING: EQUIPMENT

1. When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances 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.
2. All flow measurement and sampling devices, access facilities, and related equipment shall be installed by the person discharging the industrial waste at his expense, and shall e maintained by him so as to be in safe condition, in proper operating condition at all times, and readily accessible to city forces during the operating day.
3. The flow measurement device can be a Parshall flume, weir, venturi nozzle, magnetic flow meter, or any other type of device providing accurate and continuous flow indication. Pump timers or other indirect measurement devices will not be acceptable.
4. The flow meter shall be suitable for indicating and totalizing the flow in millions of gallons per day through the device provided above, with an error factor not exceeding plus or minus two percent. The instrument shall be equipped with a set of electrical contacts arranged to momentarily close a circuit to energize a process timer and sampling device for every fixed quantity of flow. This quantity should be selected so as to insure a minimum of fifty (50) samples per operating day. Other control variations will be acceptable if it can be demonstrated that the sampling procedure will result in a waste sample which is proportional to the waste flow. The length of operation of the sampling device shall be dependent upon the type of sampling arrangement used, but in no case shall the daily collected sample be less than two (2) quarts in volume. (prior code section 5.495)

13.24.1050 MEASUREMENT SAMPLING: METHOD

1. The methods of sampling used can be by continuous pumping past a solenoid-operated valve, direct pumping into the sample container, continuous pumping past a sampler dipper calibrated to

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remove a constant sample, by a proportional dipper sampler operating directly in the waste flow, or by any other approved means.

2. All samples must be continuously refrigerated at a temperature of thirty-nine degrees Fahrenheit (39°), plus or minus five (+/- 5°) degrees. (prior code section 5.497)

13.24.1060 MEASUREMENT SAMPLING: STATION

The flow measurement and sampling station shall be located and constructed in a manner acceptable to the city. Complete plans on all phases of the proposed installation, including all equipment proposed for use, shall be submitted to the city for approval prior to construction. (prior code section 5.500)

13.24.1070 MEASUREMENT AND SAMPLING: ANALYSIS

The waste samples will be collected and tests performed by city personnel. Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods;" however, alternate methods of certain analyses of industrial wastes may be used. (prior code section 5.501)

13.24.1080 MEASUREMENT AND SAMPLING: STANDARDS

1. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole.
2. If 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.
3. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.
4. The particular analysis involved will determine whether a twenty-four hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained for twenty-four hour composite of all outfalls, whereas pHs are determined from period grab samples. (prior code section 5.505)

13.24.1090 CHARGES: BASIS FOR COMPUTATION

1. Each person discharging industrial wastes into a public sanitary sewer with a daily total in excess of two-hundred (200) pounds or more of either BOD or suspended solids shall, when directed by

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approving authority, construct and maintain approved measurement, sampling, and sample storage facilities for all waste entering the sanitary sewer. These facilities will be used to obtain flow, BOD, and suspended solids data for use as a basis for an industrial waste sewer service charge.

2. Persons discharging industrial wastes into a public sanitary sewer with a daily total of two-hundred (200) pounds or less of either BOD or suspended solids shall have the option of installing measurement and sampling facilities for the purpose of receiving an industrial waste sewer service charge based on quantity and strength of the waste, or may elect to have their industrial waste charge based on total metered water consumption from all sources.
3. The city shall determine, by at least two (2) composite water samples a year taken at the industrial waste discharger's expense, if the industrial waste loading, based on either BOD or suspended solids, does not exceed two-hundred (200) pounds per day. If three consecutive measurements by the city indicate that the two-hundred-pound-per-day rate is being exceeded, then, when directed by the approving authority, the owner must construct and maintain measurement and sampling facilities as specified in this section as a basis for computing the sewer service charge. (prior code section 5.490)

13.24.1100

CHARGES: CALCULATION

1. The industrial user charge shall be calculated using the standard quantity/quality formula:

$$C_u = V_c V_u + B_u + S_c S_u + P_c P_u$$

Where:

- C_u is the total user charge per month;
- V_c is the operation and maintenance cost for transportation and treatment of the waste water volume per month;
- V_u is the volume of waste water from a user per month;
- B_c is the operation and maintenance cost for treatment of a unit of BOD;
- B_u is the total BOD contribution from a user per month;
- S_c is the operation and maintenance cost for treatment of a unit of suspended solids;
- S_u is the total suspended solids contribution from a user per month;
- p_c is the operation and maintenance cost for treatment of a unit of any pollutant;
- P_u is the total contribution of any pollutant from a user per month.

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2. In the absence of any current breakdown of operation and maintenance figures of the sewer treatment plant for any volume or pollutant component, the rate may be calculated based on the total volume of wastewater per month times the total operation and maintenance cost of the plant as determined each year under the Stayton-Sublimity sewage agreement, plus the regular rate for industrial users discharging domestic waste only.
3. All industrial users shall be required to pay that portion of the federal assistance grant under PL 92-500 allocable to the treatment of waste from such users, and shall comply with all applicable rules and regulations under such grant. (prior code section 5.513)

13.24.1110 CHARGES: SEPARATE METERING

Water supplied to any commercial or industrial user which is not discharged to a public sewer may be separated from other uses in the establishment and supplied by a separate water meter. The water account of such service shall not carry with it a sewer charge if such water is not discharged to a public sewer. Internal metering within the establishment for the purpose of separating uses will not be recognized. (Ord. 619, section 3, 1985: prior code section 5.511)

13.24.1120 INDUSTRIAL COST RECOVERY

1. The system for industrial cost recovery, as outlined in the August 21, 1973 Federal Register, Vol. 38, No. 161, shall be implemented and maintained according to the following requirements:
 - a. Each year during the industrial cost recovery period, each industrial user of the treatment works shall pay its share of the total federal grant amount divided by the recovery period.
 - b. The industrial cost recovery period shall be equal to thirty (30) years or the useful life of the treatment works, whichever is less.
 - c. Payments shall be made by industrial users no less often than annually. The first payment by an industrial user shall be made not later than one (1) year after such user begins use of the treatment works.
 - d. An industrial user's share shall be based on all factors which significantly influence the cost of the treatment works, such as strength, volume, and flow rate characteristics. As a minimum, an industry's share shall be based on its flow versus treatment works capacity except in unusual cases.
 - e. An industrial user's share shall be adjusted when there is a substantial change in the strength, volume, or flow rate characteristics of the user's wastes, or if there is an expansion or upgrading of the treatment works.
 - f. An industrial user's share shall not include any portion of the federal grant amount allocable to unused or reserved capacity.

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- g. An industrial user's share shall include any firm commitment to the city of increased use by such user.
 - h. An industrial user's share shall not include an interest component.
2. This requirement applies only to those features of waste water treatment and transportation facilities which have been constructed with federal assistance administered by the U.S. Environmental Protection Agency under PS 92-500. (prior code section 5.515)

13.24.1130 DISPOSITION OF INCOME FROM INDUSTRIAL USERS

- 1. The city shall retain fifty percent (50%) of the amounts recovered from industrial users. The remainder, together with any interest thereon, shall be returned to the U.S. Treasury on an annual basis.
- 2. A minimum of eighty percent (80%) of the retained amounts, together with interest earned thereon, shall be used solely for the eligible costs of the expansion or reconstruction of treatment works associated with the project and necessary to meet the requirements of PL 92-500.
- 3. Pending use, the city shall invest the retained amounts for reconstruction an expansion in:
 - a. Obligations of the U.S. government;
 - b. Obligations guaranteed as to principle and interest by the U.S. government or any agency thereof; or
 - c. Shall deposit such amounts in accounts fully collateralized by obligations of the U.S. government or by obligations fully guaranteed as to principle and interest by the U.S. government or any agency thereof. (prior code section 5.520)

13.24.1140 SPECIAL ARRANGEMENTS PERMITTED

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. (prior code section 5.507)

13.24.1150 CONNECTION CHARGES

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 code shall pay a connection charge for each separate connection provided to the property, except as provided in Section 13.24.790 of this chapter. (prior code section 5.440)

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13.24.1170 CHARGES: PAYMENT

The minimum service charge is payable when the request for public utilities is submitted in accordance with the current master utilities fee schedule. Actual costs exceeding the minimum charge will be calculated and paid by the customer prior to use. (Ord. 630, section 3[part], 1986; prior code section 5.033)

13.24.1180 DEPOSIT REQUIREMENTS

1. A separate customer deposit shall be required for use of the city sewer system in accordance with the same guidelines and procedures as set out for water deposits in Section 13.16.450 and 13.16.460 of this title.
2. Sewer service bills shall be due and accounts collected in accordance with the same guidelines and procedures as set out for water bills and accounts collection in Sections 13.16.490, 13.16.500, and 13.16.510.
3. For nonpayment of any sewer charges, water service may be disconnected in accordance with the procedures set out in Section 13.16.470.

13.24.1190 SEWER USER CHARGES: NON-INDUSTRIAL

1. Effective on a date certain determined by resolution of the Stayton City Council, sanitary sewer rates for non-industrial shall be established (Ord. 781, March 3, 1998):.

13.24.1200 VIOLATION: LIABILITY

Any person who, as the result of violating any of the provisions of this article, causes any expense, loss, or damage to the city shall immediately become liable to the city for the full sum of such expense, loss, or damage, and the sum shall constitute a lien against the property of the violator. The council may, at its discretion, instruct the city attorney to proceed against any such person in any court of competent jurisdiction in a civil action, to be brought in the name of the city for the recovery of the full sum of any such expense, loss, or damage. (prior code section 5.580)

13.24.1210 VIOLATION: NOTICE

Any person violating any of the provisions of this chapter relating to the sanitary sewer system, excepting section 13.16.610 of this chapter and those sections relating to payment of fees and charges shall be served by the city with written notice of the violation and providing a reasonable time limit for the satisfactory

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correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. (prior code section 5.575)

13.24.1220

VIOLATION: PENALTY

1. Violation of Section 13.16.160 of this chapter is deemed disorderly conduct and a misdemeanor, punishable by a fine not to exceed three hundred dollars (\$300.00) or by imprisonment not to exceed one-hundred (100) days, or by both such fine and imprisonment.
2. Any person who continues a violation beyond the time limit provided for in Section 13.24.1210 of this article is guilty of a misdemeanor, punishable by a fine not to exceed five-hundred dollars (\$500.00), or by imprisonment not to exceed one-hundred (100) days, or by both such fine and imprisonment. (prior code section 5.990[part])(Ord. 774, October 22, 1997).
3. The obligations and code provisions in Chapter 13.16, "Water Services," shall be deemed applicable to this Chapter 13.24, "Sewer Services."

Should any article, section subsection, paragraph, sentence, clause, or phrase of this ordinance be declared invalid, such declaration shall not affect the validity of any other article, section, subsection, paragraph, sentence, clause, or phrase; and if this ordinance or any portion thereof should be held to be invalid on one ground, but valid on another, it shall be construed that the valid ground is the one upon which said ordinance or such portion thereof was enacted.