

## DIVISION I. SEWERS

### Chapter 13.04

#### SEWER DEFINITIONS

##### Sections:

- 13.04.010 Generally.
- 13.04.020 APHA.
- 13.04.030 ASTM.
- 13.04.050 Building drain.
- 13.04.060 Connection fee.
- 13.04.080 Easement.
- 13.04.090 Electrical service.
- 13.04.100 Final assessment order.
- 13.04.110 Floatable oil.
- 13.04.120 Garbage.
- 13.04.130 Glide-Idleyld sewerage system.
- 13.04.140 Industrial wastes.
- 13.04.150 Interceptor tank.
- 13.04.160 Natural outlet.
- 13.04.170 May.
- 13.04.180 Owner.
- 13.04.190 Person.
- 13.04.200 pH.
- 13.04.210 Practical route.
- 13.04.220 Properly shredded garbage.
- 13.04.230 Public sewer.
- 13.04.240 Sanitary sewer.
- 13.04.250 Service fees.
- 13.04.260 Service lines.
- 13.04.270 Sewage.
- 13.04.280 Sewer.
- 13.04.290 Shall.
- 13.04.300 Slug.
- 13.04.310 Storm drain.
- 13.04.320 Superintendent.
- 13.04.330 Suspended solids.
- 13.04.340 System.
- 13.04.350 System piping.
- 13.04.360 Unpolluted water.
- 13.04.370 WPCF.

- 13.04.380 Wastewater.
- 13.04.390 Wastewater facilities.
- 13.04.400 Wastewater treatment works.
- 13.04.410 Watercourse.

13.04.010 Generally. Unless the context specifically indicates otherwise, the meaning of terms used in this division shall be as set out in this chapter. (Ord. JH 77-6-1 (part), 1977)

13.04.020 APHA. "APHA" means the American Public Health Association. (Ord. JH 77-6-1 §1.005, 1977)

13.04.030 ASTM. "ASTM" means the American Society for Testing and Materials. (Ord. JH 77-6-1 §1.010, 1977)

13.04.050 Building drain. "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning immediately outside the building wall. (Ord. JH 77-6-1 §1.030, 1977)

13.04.060 Connection fee. "Connection fee" means the fee charged for connection to the system including a proportionate share of the cost for constructing the system plus the average cost for materials and labor in making the actual connection and other costs as determined by the board. (Ord. JH 77-6-1 §1.040, 1977)

13.04.080 Easement. "Easement" means an acquired legal right for the specific use of land owned by others. (Ord. JH 77-6-1 §1.070, 1977)

13.04.090 Electrical service. "Electrical service" means the circuit used exclusively for the pumping facilities in the interceptor tank. (Ord. JH 77-6-1 §1.080, 1977)

13.04.100 Final assessment order. "Final assessment order" means that order entered by the board pursuant to Sections 3.16.230 through 3.16.260 of this code. (Ord. JH 77-6-1 §1.085, 1977)

13.04.110 Floatable oil. "Floatable oil" means oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system. (Ord. JH 77-6-1 §1.090, 1977)

13.04.120 Garbage. "Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods. (Ord. JH 77-6-1 §1.100, 1977)

13.04.130 Glide-Idleyld sewerage system. "Glide-Idleyld sewerage system" means that pressure sewer system installed and subsequent extensions thereof by the county pursuant to the order entitled "In the Matter of Establishing a Local Assessment District for the Glide-Idleyld Pressure Sewer System, an Unincorporated Area in Douglas County" and dated December 8, 1976. (Ord. JH 77-6-1 §1.110, 1977)

13.04.140 Industrial wastes. "Industrial wastes" means the wastewater from industrial processes, trade, or businesses as distinct from domestic or sanitary wastes. (Ord. JH 77-6-1 §1.120, 1977)

13.04.150 Interceptor tank. "Interceptor tank" means a septic tank-like structure which contains facilities for pumping effluent or a vault containing a grinder pump. (Ord. JH 77-6-1 §1.130, 1977)

13.04.160 Natural outlet. "Natural outlet" means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater. (Ord. JH 77-6-1 §1.140, 1977)

13.04.170 May. "May" is permissive. (Ord. JH 77-6-1 §1.150, 1977)

13.04.180 Owner. "Owner" also includes purchaser under land sale contract. (Ord. JH 77-6-1 §1.155, 1977)

13.04.190 Person. "Person" means any individual, firm, company, association, society, corporation, or group. (Ord. JH 77-6-1 §1.160, 1977)

13.04.200 pH. "pH" means the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example has a pH value of 7 and a hydrogen ion concentration of  $10^{-7}$  (Ord. JH 77-6-1 §1.170, 1977)

13.04.210 Practical route. "Practical route" means that route determined by the superintendent to be economically feasible. (Ord. JH 77-6-1 §1.180, 1977)

13.04.220 Properly shredded garbage. "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 the building drain with no particle greater than one-half inch (1.27 centimeters) in any dimension. (Ord. JH 77-6-1 §1.190, 1977)

13.04.230 Public sewer. "Public sewer" means the Glide-Idleyld sewerage system, also referred to as "system," including interceptor tanks, pumping facilities, service lines, system piping and control panels. (Ord. JH 77-6-1 §1.200, 1977)

13.04.240 Sanitary sewer. "Sanitary sewer" means a sewer that carries liquid-

carried and water-carried wastes from the residences, commercial buildings, industrial plants, and institutions together with minor quantities of groundwater, stormwater, and surface waters that are not admitted intentionally. (Ord. JH 77-6-1 §1.210, 1977)

13.04.250 Service fees. "Service fees" means the fees, normally monthly, levied for operation and maintenance of the system. (Ord. JH 77-6-1 §1.220, 1977)

13.04.260 Service lines. "Service lines" means piping installed on property to connect the interceptor tank serving the structures thereon to the system piping. Unlike a lateral of a main or a main, service lines are not designed or intended to receive effluent flow from structures other than those structures with wastewater plumbing existing on the property when the lines were installed. (Ord. JH 77-6-1 §1.230, 1977)

13.04.270 Sewage. "Sewage" means the spent water of a community. The preferred term is "wastewater." (Ord. JH 77-6-1 §1.240, 1977)

13.04.280 Sewer. "Sewer" means a pipe or conduit that carries wastewater or drainage water. (Ord. JH 77-6-1 §1.250, 1977)

13.04.290 Shall. "Shall" is mandatory. (Ord. JH 77-6-1 §1.260, 1977)

13.04.300 Slug. "Slug" means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow shall adversely affect the collection system or performance of the wastewater treatment works. (Ord. JH 77-6-1 §1.270, 1977)

13.04.310 Storm drain. "Storm drain" (or "storm sewer") means a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source. (Ord. JH 77-6-1 §1.280, 1977)

13.04.320 Superintendent. "Superintendent" means the director of the county department of public works or his authorized deputy, agent or representative. (Ord. JH 77-6-1 §1.290, 1977)

13.04.330 Suspended solids. "Suspended solids" means total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater." (Ord. JH 77-6-1 §1.300, 1977)

13.04.340 System. See Section 13.04.130. (Ord. JH 77-6-1 §1.310, 1977)

13.04.350 System piping. "System piping" means the main transmission lines and its laterals which collect wastewater from service lines. (Ord. JH 77-6-1 §1.320, 1977)

13.04.360 Unpolluted water. "Unpolluted water" means water of quality equal to or

better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided. (Ord. JH 77-6-1 §1.330, 1977)

13.04.370 WPCF. "WPCF" means the Water Pollution Control Federation. (Ord. JH 77-6-1 §1.340, 1977)

13.04.380 Wastewater. "Wastewater" means the spent water of a community. From the standpoint of source, it may be a combination of the liquid-carried and water-carried wastes from residences, commercial buildings, industrial plants and institutions. (Ord. JH 77-6-1 §1.350, 1977)

13.04.390 Wastewater facilities. "Wastewater facilities" means the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent. Wastewater facilities include the interceptor tanks, pumping facilities, service lines, system piping and control panels. (Ord. JH 77-6-1 §1.360, 1977)

13.04.400 Wastewater treatment works. "Wastewater treatment works" means an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "water pollution control plant." (Ord. JH 77-6-1 §1.370, 1977)

13.04.410 Watercourse. "Watercourse" means a natural or artificial channel for the passage of water either continuously or intermittently. (Ord. JH 77-6-1 §1.380, 1977)

## Chapter 13.08

### ADMINISTRATION AND ENFORCEMENT

#### Sections:

13.08.010 Information obtention--Confidentiality.

13.08.020 Right of entry.

13.08.030 Damage to equipment prohibited.

13.08.040 Excavation without permit prohibited.

13.08.050 Stop work order.

13.08.060 Correction of prohibited discharge.

13.08.070 Service fees deemed a debt to county.

13.08.080 Right to remove or close connections.

13.08.090 Restoration of service.

13.08.100 Change of ownership.

13.08.110 Violation--Penalty.

13.08.010 Information obtention--Confidentiality. The superintendent or other duly

authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors. (Ord. JH 77-6-1 §7.010, 1977)

13.08.020 Right of entry. The superintendent and other duly authorized employees of the county bearing proper credentials and identification shall be permitted to enter all private properties through which the county holds a duly negotiated easement for the purposes of inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within such easement. All entry and subsequent work, if any, on such easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. JH 77-6-1 §7.020, 1977)

13.08.030 Damage to equipment prohibited. No person(s) shall maliciously, wilfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities or drive a motor vehicle over any interceptor tank. (Ord. JH 77-6-1 §6.010, 1977)

13.08.040 Excavation without permit prohibited. No person shall excavate within any area subject to a recorded easement granting the county access and installation rights for wastewater facilities without first obtaining a permit to do so from the superintendent. (Ord. JH 77-6-1 §6.020, 1977)

13.08.050 Stop work order. If any person shall construct a public sewer, private sewer or building sewer in violation of this division, the superintendent may issue an order to such person to stop work in progress which is not then in compliance with this division or the superintendent may issue an order to correct work which has been performed. Such person shall forthwith take such action as may be necessary to comply with such order and with this division, all at the expense of such person. (Ord. JH 77-6-1 §11.010, 1977)

13.08.060 Correction of prohibited discharge.

A. The superintendent may order the owner of any property from which discharges prohibited by Chapter 13.24 are entering any sewer to correct such condition. The superintendent shall first give written notice of such prohibited discharge to the person, and only if such person fails to correct such condition within thirty days after receipt of such notice, the superintendent may enter upon such property and remove or close sewer connections as provided in this chapter.

B. Any person discharging any material deemed to be dangerous, injurious to treatment process, hazardous to any person, structure or treatment unit may be subject to immediate discontinuance of sewer service without prior notice at the discretion of the superintendent. The superintendent shall have the right to enter upon the person's property to remove or close sewer connections as provided in this chapter. (Ord. JH 77-6-1 §11.020, 1977)

13.08.070 Service fees deemed a debt to county. Service fees levied in accordance with this division shall be a debt due to the county. If this debt is not paid within thirty days after it shall be due and payable, it shall be deemed delinquent and may be recovered by civil action in the name of the county against the property owner, the person, or both. (Ord. JH 77-6-1 §11.030, 1977)

13.08.080 Right to remove or close connections.

A. In the event of failure to pay service fees after they become delinquent, failure to cease discharging to the sewer substances prohibited by this division, the superintendent shall have the right to remove or close sewer connections, and enter upon the property for accomplishing such purposes.

B. The expense of such removal, or closing, as well as the expense of restoring service, shall likewise be a debt due to the county and may be recovered by civil action in the name of the county against the property owner, the person, or both. (Ord. JH 77-6-1 §11.040, 1977)

13.08.090 Restoration of service. Sewer service shall not be restored until all charges, including the expense of removal, closing, and restoration, shall have been paid and the cause for discontinuance of service corrected. (Ord. JH 77-6-1 §11.050, 1977)

13.08.100 Change of ownership. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating the penalties set out in this chapter. (Ord. JH 77-6-1 §11.060, 1977)

13.08.110 Violation--Penalty.

A. Any person found to be violating any provision of this division shall be served by the county with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who shall continue any violation beyond the time limit provided for in Section 13.08.060 or the time limit provided in the written notice required by this section shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding one hundred dollars for each violation. Each day in which any violation shall continue shall be deemed a separate offense.

C. Any person violating any of the provisions of this division shall be liable to the county for any expense, loss or damage occasioned by the county by reason of such violation.

D. The county reserves the right to injunctive relief against violation of any of the provisions of this division. (Ord. JH 77-6-1 §11.070, 1977)

Chapter 13.12

Repealed Ord. 2007-09-01, January 18, 2008

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Chapter 13.16

SEWER USE REQUIRED

Sections:

13.16.010 Prohibited discharge.

13.16.020 Privies prohibited.

13.16.030 Sewer connection required.

13.16.040 Private wastewater disposal--Compliance.

13.16.050 Private wastewater disposal--Connection with public system.

13.16.010 Prohibited discharge. It is unlawful to discharge to any natural outlet any wastewater or other polluted waters, from any house, building or structure located within six hundred feet, as measured along the practical route, of any system piping except where suitable treatment has been provided in accordance with subsequent provisions of this division. (Ord. JH 77-6-1 §2.010, 1977)

13.16.020 Privies prohibited. Except as provided in this chapter, it is unlawful to construct or use any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater. (Ord. JH 77-6-1 §2.020, 1977)

13.16.030 Sewer connection required. The owners of all property within the boundaries shown on the map attached to the ordinance codified in this division, a copy of which is available for inspection in the office of the county clerk, marked "Glide-Idleyld

Sewer System Boundary Map," are required, in accordance with the provisions of this division and within sixty days after date of official notice to do so, to connect the wastewater plumbing of any house, building or structure now existing or subsequently developed, to the system when any system piping, initially constructed or extensions thereafter, is located within six hundred feet along the practical route to such house, building or structure. (Ord. JH 77-6-1 §2.030, 1977)

13.16.040 Private wastewater disposal--Compliance. Where a public sanitary sewer is not available under the provisions of Section 13.16.030, the building sewer shall be connected to a private wastewater disposal system complying with the subsurface sewage disposal provisions of the State of Oregon Department of Environmental Quality. (Ord. JH 77-6-1 §3.010, 1977)

13.16.050 Private wastewater disposal--Connection with public system. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer within sixty days after official notice to do so in compliance with this division, and any septic tanks, cesspools, and similar private wastewater disposal facilities not utilized in the connection to the public sewer shall be cleaned of sludge and filled with suitable material or removed or crushed. (Ord. JH 77-6-1 §3.020, 1977)

## Chapter 13.20

### SEWER CONNECTIONS

#### Sections:

- 13.20.010 Connection without permit unlawful.
- 13.20.020 Classes of permits--Application.
- 13.20.030 Permit for vacant property.
- 13.20.040 Costs to be borne by owner.
- 13.20.050 Plot plan contents for class (b) or (c) permit.

13.20.010 Connection without permit unlawful. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent. (Ord. JH 77-6-1 §4.010, 1977)

13.20.020 Classes of permits--Application. There shall be three classes of written permits: (a) single-family residential, (b) commercial, multifamily including mobile home parks or any other service which will use an interceptor tank utilized by more than one building, structure, or mobile home or which will have a flow exceeding the equivalent flow of a single-family residence, and (c) establishments producing industrial wastes. The

owner(s) or his agent shall make application on a special form furnished by the county. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent or as required in Section 13.20.050 and shall be accompanied by a properly executed easement approved by the superintendent which permits access by the county to owner's property for the purpose of installing, constructing, maintaining, and inspecting service lines, interceptor tanks and control panels serving owner's property. (Ord. JH 77-6-1 §4.020, 1977)

13.20.030 Permit for vacant property. No permit shall be issued under Section 13.20.020 for vacant property until June 18, 1980, or thereafter. "Vacant property," for the purposes of this section, means property with no houses located upon it or property which has a building or structure upon it but such building or structure does not have plumbing. (Ord. 80-6-9 §1, 1980: Ord. JH 77-6-1 §4.025, 1977)

13.20.040 Costs to be borne by owner. All costs and expenses incidental to the installation and connection of the building sewer and electrical service shall be borne by the owner(s). The owner(s) shall indemnify the county from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. (Ord. JH 77-6-1 §4.030, 1977)

13.20.050 Plot plan contents for class (b) or (c) permit. With each application for a class (b) or (c) permit (See Section 13.20.020) or for an application to provide sewers to a subdivision the applicant shall submit one set of plot plans showing the general layout of the proposed development at a scale no smaller than 1"=100' and showing the following:

- A. Name of owner and applicant;
- B. Name of person who prepared plans;
- C. Scale used;
- D. Property line and both existing and proposed layout
- E. Building sewers or sewer connections and their distance from system piping

(See Section 13.28.090);

- F. Existing and proposed water lines;
- G. Buildings;
- H. Streets, if any;
- I. Existing private sewage disposal systems. (Ord. JH 77-6-1 §4.140, 1977)

## Chapter 13.24

### SEWER USE REGULATIONS

#### Sections:

13.24.010 Discharge of unpolluted waters prohibited.

13.24.020 Discharge of certain substances prohibited.

- 13.24.030 Discharge of certain substances limited.
- 13.24.040 Action of superintendent upon discharge of certain limited substances.
- 13.24.050 Grease, oil and sand interceptors.
- 13.24.060 Maintenance of pretreatment facilities.
- 13.24.070 Observation, sampling and measurement.
- 13.24.080 Information to be provided by holders of class (b) or (c) permits.
- 13.24.090 Wastewater analysis standards.
- 13.24.100 Special agreements between county and industrial concerns.

13.24.010 Discharge of unpolluted waters prohibited. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer. (Ord. JH 77-6- §5.010, 1977)

13.24.020 Discharge of certain substances prohibited. No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

B. Any waters containing toxic or poisonous solids, liquids, or gases in sufficient concentration, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater facilities.

C. Any waters or wastes having a pH lower than 5.5 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater facilities.

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 wastewater facilities such as, but not limited to, ashes, bones, 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.

E. Ceramic dusts or particles or other abrasive substances.

F. Any water received through infiltration or inflow. (Ord. JH 77-6-1 §5.020, 1977)

13.24.030 Discharge of certain substances limited. The following described substances, materials, waters, or waste shall be limited in discharges to the system to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The superintendent may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the superintendent will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on material or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the superintendent are as follows:

A. Wastewater having a temperature higher than one hundred fifty degrees Fahrenheit (sixty-five degrees Celsius).

B. Wastewater containing more than twenty-five milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.

C. Wastewater from industrial plants containing floatable oils, fat, or grease.

D. Any garbage that has not been properly shredded (See Section 13.04.220). Garbage grinders are discouraged.

E. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the superintendent for such materials.

F. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the superintendent.

G. 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.

H. Quantities of flow, concentrations, or both which constitute a "slug" as defined in this division.

I. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

J. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes. (Ord. JH 77-6-1 §5.030, 1977)

#### 13.24.040 Action of superintendent upon discharge of certain limited substances.

A. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 13.24.030, and which in the judgment of the superintendent, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may:

1. Reject the wastes;

2. Require pretreatment to an acceptable condition for discharge to the public sewers;

3. Require control over the quantities and rates of discharge; and/or

4. Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 13.24.090.

B. When considering the above alternatives, the superintendent shall give consideration to the economic impact of each alternative on the discharger. 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. (Ord. JH 77-6-1 §5.040, 1977)

#### 13.24.050 Grease, oil and sand interceptors. Grease, oil and sand interceptors shall be

provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in Section 13.24.030(C) or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the superintendent. Any removal and hauling of the collected materials not performed by owner's(s') personnel must be performed by currently licensed waste disposal firms. (Ord. JH 77-6-1 §5.050, 1977)

13.24.060 Maintenance of pretreatment facilities. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense. (Ord. JH 77-6-1 §5.060, 1977)

13.24.070 Observation, sampling and measurement. When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the superintendent. The structure 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. (Ord. JH 77-6-1 §5.070, 1977)

13.24.080 Information to be provided by holders of class (b) or (c) permits. The superintendent may require an applicant or holder of a class (b) or (c) permit (see Section 13.20.020) to provide information needed to determine compliance with this division. These requirements may include:

- A. Wastewaters discharge average and peak rate and volume over a specified time period.
- B. Chemical and biological analysis of wastewaters sampled at specified times, locations, durations and frequencies.
- C. Information on raw materials, processes, and products affecting wastewater volume and quality.
- D. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- E. A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
- F. Details of wastewater pretreatment facilities.
- G. Details of system to prevent and control the losses of materials through spills to the public sewer. (Ord. JH 77-6-1 §5.080, 1977)

13.24.090 Wastewater analysis standards. All measurements, tests, and analysis of the

characteristics of waters and wastes to which reference is made in this division shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the APHA. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the superintendent. (Ord. JH 77-6-1 §5.090, 1977)

13.24.100 Special agreements between county and industrial concerns. No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the county and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the county for treatment. (Ord. JH 77-6-1 §5.100, 1977)

## Chapter 13.28

### SEWER DESIGN AND CONSTRUCTION REQUIREMENTS

#### Sections:

- 13.28.010 Separate electrical service for each interceptor tank required.
- 13.28.020 Existing building sewers.
- 13.28.030 Standards for construction.
- 13.28.040 Elevation.
- 13.28.050 Surface runoff connections.
- 13.28.060 Connection to interceptor tank.
- 13.28.070 Notification of inspection readiness.
- 13.28.080 Protection from excavation hazards.
- 13.28.090 Plumbing orientation in new construction.
- 13.28.100 Independent facilities for subdivided parcels.

13.28.010 Separate electrical service for each interceptor tank required. A separate and independent electrical service shall be provided for every interceptor tank. (Ord. JH 77-6-1 §4.040, 1977)

13.28.020 Existing building sewers. Existing building sewers may be used in connection with new buildings only when they meet all requirements of the applicable plumbing code. (Ord. JH 77-6-1 §4.050, 1977)

13.28.030 Standards for construction. The size, slope, alignment, materials of construction of a building sewer, 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 state. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply. (Ord. JH 77-6-1

§4.060, 1977)

13.28.040 Elevation. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the interceptor tank, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. (Ord. JH 77-6-1 §4.070, 1977)

13.28.050 Surface runoff connections. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the superintendent in writing for purposes of disposal of polluted surface drainage. Otherwise, no infiltration or inflow shall be permitted. (Ord. JH 77-6-1 §4.080, 1977)

13.28.060 Connection to interceptor tank. The connection of the building sewer into the interceptor tank shall conform to the requirements of the applicable plumbing code. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation. (Ord. JH 77-6-1 §4.090, 1977)

13.28.070 Notification of inspection readiness. The applicant for the sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the interceptor tank. The connection and testing shall be made under the supervision of the superintendent or his representative in cooperation with the county building official. (Ord. JH 77-6-1 §4.100, 1977)

13.28.080 Protection from excavation hazards. All excavations for 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 county. (Ord. JH 77-6-1 §4.110, 1977)

13.28.090 Plumbing orientation in new construction. Plumbing within newly constructed houses, buildings, or structures shall be so oriented unless otherwise approved by the superintendent as to allow the building sewer to stem from the side closest to the system piping. (Ord. JH 77-6-1 §4.120, 1977)

13.28.100 Independent facilities for subdivided parcels. Upon sale of a subdivided or partitioned parcel with a house, building or structure utilizing an interceptor tank common to another house, building or structure which was not included in the sale or located on the parcel after division, another interceptor tank, control panel and proper piping shall be installed so that each parcel has independent sewerage facilities. (Ord. JH 77-6-1 §4.130, 1977)

## Chapter 13.32

### SEWER EXTENSIONS

#### Sections:

13.32.010 Request procedure.

13.32.020 Performance bond or security.

13.32.030 Failure to carry out agreement provisions.

13.32.010 Request procedure. Any person who owns property located within the boundaries delineated on the Glide-Idleyld sewer system boundary map may request permission from the superintendent to extend the system piping to provide service to such property. The request to extend the system piping shall be made in writing. The superintendent may approve or deny the request or approve it with modifications. The decision of the superintendent may be appealed in accordance with the appeals procedure set forth in Sections 13.40.010 through 13.40.060 of this division. If the request to extend the system piping is approved by the superintendent or on appeal, the system piping extension may be financed and constructed by any of the following methods:

A. If the extension of system piping is being installed to provide service to lots in a subdivision the system piping may be constructed and financed with other improvements in the manner set forth in Section 4.200.5 of the land use and development ordinance for the county.

B. The owners of the property served by the system piping extension may initiate proceedings to form a local improvement district in accordance with Chapter 3.16 of this code, as amended.

C. The owners of the property to be served by the system piping extension may enter into an agreement with the county for construction of the piping by the owners. Owner shall be responsible for providing the plans and specifications for the construction of the piping. The plans and specifications shall be subject to the approval of the county. The agreement between owner and county shall provide that if construction of the piping is not completed within a period specified in the agreement, the county may complete the work and recover the full costs and expense thereof from the owners. To assure full performance of the agreement for construction of the piping, the owners shall be required to provide one of the following:

1. A surety bond executed by a surety company authorized to transact business in the state on a form approved by the county counsel; or

2. Cash deposit with the county treasurer; or

3. Cash deposit with an escrow agent authorized to transact business in the state subject to escrow instructions that require the escrow agent to release the money only upon the direction of the superintendent. Escrow instructions shall be approved by the county counsel.

(Ord. JH 77-6-1 §2.040(part), 1977; Ord. 82-12-5 §1(part), 1985)

13.32.020 Performance bond or security. The performance bond or other security provided pursuant to this chapter shall be for a sum determined by the superintendent to be sufficient to cover the costs of the system piping extension. (Ord. JH 77-6-1 §2.040(part), 1977; Ord. 82-12-5 §1(part), 1985)

13.32.030 Failure to carry out agreement provisions. If the owner fails to carry out provisions of the agreement for the construction of system piping and the county has unreimbursed costs or expenses resulting from such failure, the county shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash deposit exceeds the costs and the expenses incurred, the remainder shall be released. If the amount of the bond or cash deposit is less than the cost and expense incurred, the applicant shall be liable to the county for the difference. (Ord. 82-12-5 §1(part), 1985: JH Ord. 77-6-1 §2.040(part), 1977)

## Chapter 13.36

### SERVICE AND CONNECTION FEES

#### Sections:

- 13.36.010 Service fee.
- 13.36.020 Connection fee.
- 13.36.030 Procedure for fee increase.
- 13.36.040 Procedure for fee reduction.
- 13.36.050 Unpaid fees.
- 13.36.060 Interceptor pump electricity charges.

13.36.010 Service fee. Service fees shall be established by the board and shall be charged to owners or purchasers under land sale contracts of property having wastewater plumbing in houses, buildings or structures connected to the system. Service fees shall begin when wastewater flow from property is processed by treatment facilities and be due and payable to the county on dates and in an amount determined by the board. (Ord. JH 77-6-1 §8.010, 1977)

13.36.020 Connection fee. A connection fee shall be charged to owners or purchasers under land sale contracts for connection to the system. Connection fees for properties described in the final assessment order shall be those fees for which the property owners are assessed as set forth in such order. Payment of such fees shall be in accordance with Section 3.16.270 of this code. Connection fees for owners of property possessing a valid subsurface sewage disposal system permit issued by the Department of Environmental Quality who, prior to June 18, 1980, installed such system and placed or substantially completed the house, building or structure for which the system was designed will be charged the same fee for equivalent structure and uses as property owners named in the order. These property owners may pay such fee on an installment basis as provided in Section 3.16.270 of this code. Connection fees for all others connecting to the system or required to connect to the system shall be established by order of the board and shall consist of an EDU fee based on the estimated flow from the house, building or structure being connected as expressed in terms of the flow of the equivalent of an average single-family dwelling unit (EDU) or whole multiples thereof plus a hookup fee to cover average actual hookup costs for labor and materials. Connection fees for houses, buildings or structures located farther than three hundred feet from system piping shall also contain an additional charge for every foot

the interceptor tank is located beyond three hundred feet from system piping. (Ord. JH 77-6-1 §8.020, 1977; Ord. 80-6-9 §2, 1980)

13.36.030 Procedure for fee increase.

A. Individual connection fees or assessments described in Section 13.36.020 or service fees may be raised by order of the superintendent, after hearing, when the superintendent finds that the actual wastewater flow from the house, building or structure is substantially in excess of the flow specified in the permit required by Section 13.20.010 or when the final assessments were made. Before raising a fee the superintendent shall notify in writing the person responsible for the fee or assessment of the intended increase. This notice shall contain the reasons for and the amount of the increase and time, date and place the superintendent will hear the matter. In raising the connection fee or assessment the superintendent shall take into consideration the amount of the initial fee, the cost of a connection fee at the time of the hearing, and the cost of any nonsalvageable facilities installed. Any increase in assessments shall be added to the assessment by board order and be payable under the provisions of Section 3.16.270 of this code. Any increase in connection fees shall be immediately due and payable. In lieu of raising the fee or assessment the superintendent may allow the person responsible for such fee to have the choice of reducing the flow to correspond to the flow indicated on the final assessment or permit. In such case flow shall be reduced within thirty days of the superintendent's order. If flow is not reduced and remained reduced for a period of nine months after the order, the fee or assessment may be raised without further hearing.

B. After June 18, 1980, any owner or contract purchaser of property within the boundaries of the map attached to the ordinance codified in this division, a copy of which is available for inspection in the office of the county clerk, marked "Glide-Idleyld Sewer System Boundary Map," may purchase as many additional class (b) or (c) connections (see Section 13.20.020) as he desires for present and anticipated needs. The cost of such additional connections shall be the prevailing cost of an EDU fee (see Section 13.36.020). Hookup fees shall be paid at the time the actual connection is made and the cost shall be the prevailing fee at the time such connection is made. (Ord. JH 77-6-1 §8.030, 1977; Ord. 80-6-9 §3, 1980)

13.36.040 Procedure for fee reduction.

A. Individual connection fees or assessments described in Section 13.36.020 or service fees may be reduced by order of the superintendent, when the superintendent determines:

1. That the actual wastewater from the house, building or structure is substantially below the flow specified on the permit required in Section 13.20.010 or on final assessment order; or
2. That an owner or purchaser under land sale contract who requested in writing an assessment for vacant property and such property was assessed pursuant to the final assessment order was unable to obtain a building permit because of restrictions imposed by statute, ordinance or other governmental regulation; or
3. That the use for which the fee or assessment was based upon is changed and such use will utilize a substantially lesser sewage flow; or
4. That the structure for which the assessment was made or fee was established has been destroyed or removed and will not be rebuilt or replaced.

B. In order to reduce an assessment or fee the owner or contract purchaser of the property

affected shall request the superintendent in writing for such reduction and give reasons therefor. The superintendent shall then either grant the request or hold a hearing concerning such request. If a reduction for a connection fee or assessment is to be granted the superintendent shall take into consideration the amount of the initial fee, the cost of a connection fee at the time of the hearing, the cost of any nonsalvageable and salvageable facilities that have been installed and the number of years the facilities have been used.

C. If the assessment or connection fee is reduced the superintendent shall refund the difference in cash or cause the board to enter an order to reduce the assessment if such assessment has not yet been paid. In no case may a fee or assessment be reduced below the cost or flow of one EDU unless such reduction is a result of subdivisions 2 or 4 of subsection A of this section. (Ord. JH 77-6-1 §8.040, 1977)

13.36.050 Unpaid fees. Unpaid service or connection fees shall become a lien upon the real property upon which the house, building or other structure is connected or is required to be connected to the system. (Ord. JH 77-6-1 §8.050, 1977)

13.36.060 Interceptor pump electricity charges. Electricity necessary to operate the interceptor tank pump shall be paid by the owner or contract purchaser. (Ord. JH 77-6-1 §8.060, 1977)

## Chapter 13.40

### APPEALS

#### Sections:

- 13.40.010 Submittal to superintendent.
- 13.40.020 Investigation by panel.
- 13.40.030 Decision by panel.
- 13.40.040 Application for review of decision.
- 13.40.050 Review authority.
- 13.40.060 Applicability of appeal provisions.

13.40.010 Submittal to superintendent. Any person aggrieved by a ruling under or interpretation of the provisions of this division may submit a written appeal to the superintendent. The appeal shall set forth the events and circumstances leading to the appeal, the nature of the ruling or interpretation from which relief is sought, the nature of the impact of the ruling on appellant's property or business together with any other reasons for the appeal. (Ord. JH 77-6-1 §10.010, 1977)

13.40.020 Investigation by panel. The superintendent shall submit such appeal together with his recommendations to the panel which shall forthwith appoint a committee of three members of the panel to study the matter, hear testimony if deemed necessary, and submit

recommendations and the findings and reasons for such recommendations to the panel within thirty days. (Ord. JH 77-6-1 §10.020, 1977)

13.40.030 Decision by panel. The panel shall consider the matter and prepare a written decision summarizing the findings and the ruling of the panel which shall be sent to the appellant and to the board. (Ord. JH 77-6-1 §10.030, 1977)

13.40.040 Application for review of decision. In the event that the appellant considers that his grievance has not been handled to his satisfaction by the panel, he may apply to the board for an independent review of his case by the board within thirty days from the date of the written decision of the panel. A copy of such application shall be sent to the panel which shall forward to the board its entire file on the case for review and decision. The board shall make an independent review of the case and shall, in not more than thirty days from receipt of the application prepare a written decision on the matter which shall be sent to the applicant and to the panel. (Ord. JH 77-6-1 §10.040, 1977)

13.40.050 Review authority. Decisions of the board shall be reviewable by the Circuit Court, the State of Oregon for Douglas County, solely and exclusively under the provisions of ORS 34.010 to 34.100. (Ord. JH 77-6-1 §10.050, 1977)

13.40.060 Applicability of appeal provisions. Conformance with this chapter shall in no way be a substitute for or eliminate the necessity of conforming with any and all state and county laws, ordinances and rules and regulations which are now or may in the future be in effect relating to the public health. (Ord. JH 77-6-1 §10.060, 1977)