

AFFIDAVIT OF POSTING

ORDINANCE #226

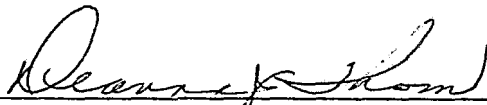
STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
 AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 29th day of December, 1982, I caused to be posted copies of the attached Ordinance #226 , an ordinance amending Section 3.110, 3.112, 3.113, 8.100, 8.120, 8.130, 8.140, 8.150, 8.152, 8.154, 8.160 and 8.170 of the Wilsonville Code, in the following four public and conspicuous places of the City, to wit:

- WILSONVILLE POST OFFICE
- WILSONVILLE CITY HALL
- LOWRIE'S FOOD MARKET
- KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 3rd of January, 1983.



DEANNA J. THOM, City Recorder

Subscribed and sworn to before me this 5th day of January, 1983.



NOTARY PUBLIC, STATE OF OREGON

My commission expires: August 23, 1985

ORDINANCE NO. 226

AN ORDINANCE AMENDING SECTIONS 3.110, 3.112, 3.114, 8.100, 8.120, 8.130, 8.140, 8.150, 8.152, 8.154, 8.160 and 8.170 OF THE WILSONVILLE CODE

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

3.110 AUTHORITY INTENT - GENERAL

Pursuant to the Statutes of the State of Oregon and the powers granted by the Charter of the City, the City does hereby declare its intention to continue to acquire, own, construct, equip, operate and maintain sanitary sewers, sewage pump stations, sewage treatment plants and outfall sewers; to extend and expand the existing sewerage system of said City; and to [construct new systems, reconstruct] and repair such existing sanitary sewers, sewage pump stations and sewage treatment plants as may be deemed proper by the Council.

3.112 & 8.110 DEFINITIONS

(1) "Appeals Board" shall be the City Council.

(2) "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20⁰C, expressed in milligrams per liter.

(3) "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which received the discharge from soil, waste and other drainage pipes inside the walls of the buildings and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

(4) "Building Sewer shall mean the extension from the building drain to the property or right-of-way line for connection with the public sewer service connection.

(5) "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

(6) "Commercial" shall mean all buildings or structures which are not classified residential or industrial.

(7) "Customer" shall mean any individual, firm, company, association, society, corporation or group, or owner.

(8) "Director" shall mean the Director of Public Works responsible and authorized to perform the duties as required by this section for the Code for public sewers.

(9) "Garbage" definition is defined in Section 8.100(c), page 287 of the Wilsonville Code.

(10) "Industrial" shall mean all buildings or structures in which a product is manufactured, stored, or distributed or any combination of each.

(11) "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business, as distinct from sanitary sewage.

(12) "Major Sewer Line Extension" shall mean the extension of a sanitary sewer mainline that is or will be located within public rights-of-way or dedicated easement.

(13) "Natural Outlet" shall mean any outlet into a water course, pond, ditch, lake, or other body of surface or groundwater.

(14) "Official" shall mean the Building Official designated

to perform the duties authorized by this section of the Code for building drains and building sewers.

(15) "Owner" shall mean the person(s) who hold legal title to, or lease the property from which sewage shall be conveyed.

(16) "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(17) "Properly Shredded Garbage" shall mean 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 one-half (1/2) inch (1.27 centimeters) in any dimension.

(18) "Public Sewer" shall mean a sewer, either sanitary or storm, in which all owners of abutting properties have equal rights, and is controlled by public authority.

(19) "Residential" shall mean buildings or structures which are built to be occupied for living purposes.

(20) "Sanitary Sewer" shall mean a City sewer which carries sewage and to which storm, surface, and groundwater are not intentionally admitted.

(21) "Service Connection" shall mean a public sewer which has been constructed to the property line or right-of-way from a public sewer lateral or main for the sole purpose of providing a connection for the building sewer.

(22) "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

(23) "Sewage System" shall mean all City-owned facilities for collecting, pumping, treating and disposing of sewage.

(24) "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage by the City.

(25) "Sewer" shall mean a pipe or conduit for carrying sewage.

(26) "Shall" is mandatory; "May" is premissive.

(27) "Slug" shall mean any discharge of water, sewage, or industrial waste which, in connection with any given constituent or in quantity of flow which, exceeds for any period or duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

(28) "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling waters.

(29) "Suspended Solids" shall mean 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.

(30) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

8.120 USE OF PUBLIC SEWER REQUIRED

(1) It shall be unlawful for any person to place, deposit, or permit to be deposited [in any manner as described herein] on public or private property within the City of Wilsonville, or in any area under the jurisdiction of said City, any human or animal excrement, garbage or other objectionable waste.

(2) It shall be unlawful to discharge to or into any natural outlet within the City of Wilsonville or in any area under the jurisdiction of said City, any sewage or other polluted water, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

(3) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

(4) The owner of any house, building, or property used for human occupancy, employment, recreation, or other purposes, situated 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 or combined sewer of the City, is hereby required, at his expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this section of the Code, within ninety (90) days after date of official notice to do so, provided that said public sewer for

the residential use is within three hundred (300) feet of the property. Commercial industrial buildings or structures shall connect no matter what distance is from the public sewer to the property to be served.

(5) The owner shall pay a monthly user fee as determined by adopted Resolution of the Council, for each and all sewer connections to the public sewer.

8.130 PRIVATE SEWAGE DISPOSAL

(1) Where a public sanitary or combined sewer is not available under the provisions of Section 8.120(4), the building sewer shall be connected to a private sewage disposal system.

(2) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Director. The application for such permit shall be made on a form furnished by the City, which the application shall be supplemented by any plans, specifications, and other information as are deemed necessary by the Director. The appropriate Type B Construction Permit and plan check fee shall be paid to the City at the time the application is filed.

(3) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Director. He shall be allowed to inspect the work in any stage of construction and, in any event, the applicant for the permit shall notify the Director when the work is ready for final inspection, and before any underground portions

are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Director.

(4) The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Oregon State Board of Health. 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 ten thousand (10,000) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(5) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 8.120(4), a direct connection shall be made to the public sewer in compliance with this Code, and any septic tanks, cesspools, and similar private sewage disposal facilities not utilized in an approved pumping facility shall be abandoned. Septic tanks shall be pumped free of sewage. Septic tanks not constructed of concrete shall be removed or opened and filled with sand or gravel. Cesspools, and similar private disposal facilities, shall be filled with sand or gravel.

(6) 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 under Section 8.120(4), approved pumping facilities shall be installed to pump the septic tank effluent to the available sanitary sewer system.

(7) The owner shall operate and maintain private sewage disposal or pumping facilities in a sanitary manner at all times, at no expense to the City.

(8) No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by State health officials.

(9) If it is determined by the Director that a health hazard would be created or that the soil is unable to transfer the sewage runoff through the soil as an effective means of treatment of sewage disposal, the Director shall reject the septic or private sewage disposal system, and require, at the owner's expense, to construct an adequately sized sanitary sewer line as approved by the Director to connect to an existing public sanitary sewer system. The owner shall construct the sewer by those requirements of the Public Works Department of the City of Wilsonville.

8.140 BUILDING SEWERS AND CONNECTIONS

(1) No unauthorized person shall uncover, make any connections to or opening into, use, alter, or disturb any service connection or appurtenance thereof, without first obtaining a written permit from the Building Official.

(2) There shall be three (3) classes of building sewer permits:

- a) Residential, Single, and Multifamily,
- b) Commercial Service, and

c) Service to Establishments Producing Industrial Wastes.

In each case, the owner or his agent, shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Official.

(3) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage to the City that may directly or indirectly be occasioned by the installation of the building sewer.

(4) 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, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(5) Old building sewers may be used in connection with new buildings only when they are found, on examination and test, by the Official, to meet all requirements of this Ordinance.

(6) 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 Uniform Building Code and the State of Oregon Plumbing Speciality Code and other applicable rules and regulations of the City.

(7) 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 public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(8) No person shall make connection of roof downspouts, exterior 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.

(9) The connection of the building sewer into the public sewer shall conform to the requirements of the Uniform Building Code, in effect at the time and the State of Oregon Plumbing Speciality Code, in effect at the time, and other applicable rules and regulations of the City. All such connections shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the Official before installation.

(10) The applicant for the building sewer permit shall notify the Official when the building sewer is ready for

inspection. The connection shall be made under the supervision of the Official or designated representative. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored at the applicant's or owner's expense in a manner satisfactory to the City.

(11) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard.

8.150 USE OF PUBLIC SEWERS

(1) No unauthorized person shall uncover, make any connections with or openings into, use, alter, or disturb, any public sewer or appurtenance thereof without first obtaining a written permit from the Director.

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

(3) 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 Director. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Director, to a storm sewer, combined sewer, or natural outlet.

(4) No person 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 or wastes containing toxic or poisonous solids, liquids, or gasses, in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including, but not limited to, cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
- c) 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.
- d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch, manure, hair and fleshings, entrails and

paper dishes, cups, milk containers, petroleum products, grease, etc., either whole or ground by garbage grinders.

(5) No person(s) shall discharge or cause to be discharged, the following described substances, materials, waters, or wastes if it appears likely, in the opinion of the Director, that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming this opinion as to the acceptability of these wastes, the Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of 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. The substances prohibited are:

- a) Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°) Farenheit, sixty-five (65°) Centigrade.
- b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two degrees (32°) and one hundred fifty degrees (150°) (0° and 65° C).

- c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (.076 hp metric) or greater shall be subject to the review and approval of the Official.
- d) Any waters or wastes containing strong acid from pickling wastes or concentrated plating solutions whether neutralized or not.
- e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Director of such materials.
- f) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Director as necessary, after 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.

- g) Any waters or wastes having pH in excess of 9.5.
- h) Materials which exert or cause:
 - 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - 2. Excessive discoloration (such as, but not limited to, dye wastes, and vegetable tanning solutions).
 - 3. Unusual BOD or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - 4. Unusual volume of flow or concentration of wastes constituting "slugs".
- i) Water or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(6) 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 8.150(5) of this Chapter and which, in the judgement of the Director, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Director may:

- a) Reject the wastes,
- b) Require pretreatment to an acceptable standard 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 fees or sewer charges under the provisions of 8.150(11).

If the Director permits the pretreatment or equalization of waste flows, the design and installation of the plant and equipment shall be subject to the review and approval of the Director, and subject to the requirements of all applicable codes, ordinances, and laws.

(7) Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients. All interceptors shall be of a type and capacity

approved by the Director, and shall be located as to be readily and easily accessible for cleaning and inspection.

(8) 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 the owner's expense.

(9) When required by the Director, the owner of any property serviced by a building sewer carrying industrial wastes or large quantities of discharge 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 accessible and safely located, and shall be constructed in accordance with plans approved by the Director. The manhole shall be installed by the owner at the owner's expense, and shall be maintained by the owner so as to be safe and accessible at all times.

(10) All measurements, tests and analysis of the characteristics of water wastes to which reference is made in this section of the Code shall be determined in accordance with the current edition of the 1981 "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 testing of suitable samples taken at said control manhole. In the event that 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. 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.

(11) No statement contained in Section 5, 8.120 - 8.160 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.

8.152 PUBLIC SEWERS - CONSTRUCTION

(1) No person shall construct, extend or connect to any public sewer without first obtaining a written permit from the City and paying all fees and connection charges and furnishing bonds as required herein and by the Public Works Standards for the City of Wilsonville. The provisions of this section requiring permits shall not be construed to apply to contractors constructing sewers and appurtenances under contracts awarded and entered into by the City.

(2) The application for a permit for public sewer construction shall be accompanied by complete plans, profiles and specification, complying with all applicable sections of this Code, rules and regulations of the City prepared by a

registered civil engineer in the State of Oregon showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles and specifications, shall be examined by the Director or an authorized representative of the Director who shall, within twenty (20) days, approve them as filed or required them to be modified as he may deem necessary.

(3) All sewer work plans, specifications, and construction procedure shall conform to Public Works Standards for the City of Wilsonville.

(4) Prior to issuance of a permit for public sewer construction, the applicant shall furnish to the City a performance bond, or cash deposit, in the amount of the total estimated cost of the work. Such performance bond, or cash deposit, shall be conditioned upon the performance of the terms and conditions of the permit and shall guarantee the correction of faulty workmanship and replacement of defective materials for a period of one (1) year from and after the date of acceptance of the work by the City.

(5) Except as provided, the extension of the public sewage facilities to serve any parcel or tract of land shall be done by and at the expense of the owner. The size of all sewer mains and other sewerage facilities shall be as required by the Director to lay sewer pipe larger than that required for

his own purposes, to accomodate other users will be reimbursed under the provisions of Section 3.116 of the Wilsonville Code for the difference in cost between the size of the line installed and that which would be required for his own use.

(6) Where special conditions exist, in the opinion of the Director, relating to any reimbursement agreement pursuant to the provisions of this section, the City may, either in addition to, or in lieu of any of the provisions of this section, authorize a special reimbursement contract between the City and the person or persons constructing public sewerage facilities. Said special reimbursement agreement shall be made and entered into prior to the issuance of a permit for the work by the City.

8.154 PUBLIC SEWERS - DAMAGE PROHIBITED

(1) No unauthorized person shall maliciously, willfully, or negligently, break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest for a Class B misdemeanor, and punishable upon conviction, by a fine of not more than five hundred (\$500) dollars or by imprisonment in the county jail for not more than six (6) months or by both such fine and imprisonment.

8.160 POWERS AND AUTHORITY OF INSPECTORS

(1) The Director and other duly authorized employees of the City 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 provisions of this section of the Code. The Director, or designated 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.

(2) While performing the necessary work on private properties referred to in 8.160(1) above, the Director, or duly authorized employees of the City, shall observe all safety rules applicable to the premises established by the company and 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 asserted against the company and growing out of the gauging and sampling operation, except such as may be caused by negligence or failure of the company to maintain safe conditions as required in 8.150(9) of this Chapter.

(3) The Director and other duly authorized employees of the City bearing proper credentials and identification, shall be permitted to enter all private properties through which the City holds a duly negotiated easement or for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works which

is connected to or lying within an easement. All entry and subsequent work, if any, on said easement, or any connection thereto, the sanitary sewer system shall be done according to those regulations as stipulated in the Code of the City of Wilsonville.

8.170 PENALTIES

(1) Any person found to be violating any provision of this Ordinance, except 8.152, shall be served by the City 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.

(2) Any person who shall continue any violation beyond the time limit provided for in 8.170(1) shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding \$500.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(3) Any person violating any of the provisions of this Ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

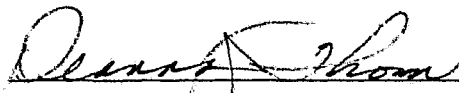
8.171 VALIDITY

(1) All sections or parts of this Code in conflict herewith are hereby repealed and the following sections are

hereby amended as aforementioned herein: 3.110, 3.112, 3.114, 8.110, 8.120, 8.130, 8.140, 8.150, 8.152, 8.154, 8.160 and 8.170.

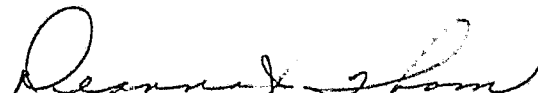
(2) The invalidity of any section, clause, sentence, or provision of this Code shall not affect the validity of any other part of this Article of the Code which can be given effect without such invalid part or parts.

SUBMITTED to the Council and read the first time at a regular meeting thereof on the 20th day of December, 1982, and scheduled for a second reading at a regular meeting of the Council on the 3rd day of January, 1983, commencing at the hour of 7:30 p.m. at the Willamette Valley Wesleyan Church.




DEANNA J. THOM, City Recorder

ENACTED by the Council on the 3rd day of January, 1983, by the following vote: YEAS 5 NAYS 0



DEANNA J. THOM, City Recorder

DATED and signed by the Mayor this 6th day of JANUARY, 1983.



WILLIAM G. LOWRIE, Mayor

CITY OF WILSONVILLE

MEMO

December 16, 1982
DATE

TO: Mayor and City Council

FROM: Larry R. Blanchard *LB.*
Public Works Director

SUBJECT: Revisions to the Code - Ordinance #226

Certain modifications were necessary to the Wilsonville Code regarding Sanitary Sewer subjects. Many of the items were due primarily to requirement as set forth by the Department of Environmental Quality - Water Quality Program which was revised March 11, 1982. Below indicates what section was deleted, modified or added to:

- Section 3.110 6th line down - the words construct new systems was added
- Section 3.112 Added 19 definitions to this section.
- Section 8.120 4) changed due to attached DEQ ruling
5) Deleted due to attached DEQ ruling
- Section 8.130 Added terminology to specify requirement for septic systems in Wilsonville. All septic systems are under City jurisdiction.
- Section 8.140 This section was modified primarily because Uniform Plumbing Code indicate materials specifications.
- Section 8.150 The modification to this section were done so to reflect the minimum requirements as set forth by D.E.Q. for discharge to sanitary sewer or treatment of sanitary sewage
- Section 8.152 Changes were necessary in order to reflect approval necessary by the Director and to identify requirements of the Public Works Standards of the City of Wilsonville

LRB:ks

340-71-160 PERMIT APPLICATION PROCEDURES-GENERAL REQUIREMENTS.

- (1) No person shall cause or allow construction, alteration, or repair of a system, or any part thereof, without first applying for and obtaining a permit.

Exception: Emergency repairs as set forth in Rule 340-71-215.

- (2) Applications for permits shall be made on forms provided by the Agent and approved by the Department.
- (3) An application is complete only when the form, on its face, is completed in full, is signed by the owner or the owner's legally authorized representative, is accompanied by all required exhibits (including a site evaluation report) and fee, and includes, from the appropriate jurisdiction, a statement of compatibility with the acknowledged local comprehensive plan and zoning requirements or Land Conservation and Development Commission's goals.
- (4) The application form shall be received by the Agent only when the form is complete, as detailed in section (3) of this rule.
- (5) Upon receipt of a completed application the Agent shall deny the permit if:
 - (a) The application contains false information;
 - (b) The application was wrongfully received by the Agent;
 - (c) The proposed system would not comply with these rules;
 - (d) The proposed system, if constructed, would violate a Commission moratorium as described in rule 340-71-460;
 - (e) The proposed system location is encumbered as described in section 340-71-130(8);

- (f) A sewerage system which can serve the proposed sewage flow is both legally and physically available, as described below:
- (A) Physical Availability. A sewerage system shall be deemed physically available if its nearest connection point from the property to be served is:
- (i) For a single family dwelling, or other establishment with a maximum projected daily sewage flow of not more than four hundred fifty (450) gallons, within three hundred (300) feet;
- (ii) For a proposed subdivision or group of two (2) to five (5) single family dwellings, or equivalent projected daily sewage flow, not further than two hundred (200) feet multiplied by the number of dwellings or dwelling equivalents.
- (iii) For proposed subdivisions or other developments with more than five (5) single family dwellings, or equivalents, the Agent shall make a case-by-case determination of sewerage availability.
- Exception: A sewerage system shall not be considered available if topographic or man-made features make connection physically impractical.
- (B) Legal Availability. A sewerage system shall be deemed legally available if the system is not under a Department connection permit moratorium, and the sewerage system owner is willing or obligated to provide sewer service.
- (6) A permit shall be issued only to a person licensed under ORS 454.695, or to the owner or easement holder of the land on which the system is to be installed.
- (7) No person shall construct, alter or repair a system, or any part thereof, unless he is licensed under ORS 454.695, or he is the permittee.

STATE OF OREGON
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 PROCEDURES FOR PROCESSING LAND USE COMPATIBILITY STATEMENTS

Water Quality Division

Subject On-Site Sewage Permits

Responsibility

DEQ Region, Branch
 or Contract County
 Authorized Agent

Action

Applicant will be provided a Land Use Compatibility form (Appendix D) or approved equivalent with the DEQ permit application or approved equivalent for either one lot or subdivision.

A completed compatibility statement, approved by the appropriate City and/or County (see table below) must be received for the on-site sewage disposal permit application to be considered complete.

The Department will rely on the County or City to guide the applicant to the other jurisdiction if their concurrence is needed. The application will be returned if DEQ receives a negative local statement of compatibility or finds that needed City concurrence is lacking. When required affirmative statements are received the application may be processed.

Use the following table to determine which jurisdiction(s) must provide a Land Use Compatibility Statement.

<u>Location</u>	<u>Sign Off</u>
1. In the City	City
2. Outside Urban Growth Boundary (UGB)	County
3. Inside UGB (Outside City Limits)	
a. Before LCDC Acknowledgment of City Comprehensive Land Use Plan for Lots of Record Prior to 8/1/81	County
b. Before LCDC Acknowledgment of City Comprehensive Land Use Plan, for Lots of Record On and After 8/1/81	County and City
c. After Acknowledgment, for Lots of Record Prior, On and After 8/1/81	City or County, as locally agreed in Urban Growth Management Agreement