

AN ORDINANCE DECLARING THE INTENTION OF SOUTH SUBURBAN SANITARY DISTRICT OF KLAMATH COUNTY, OREGON, TO PROVIDE FOR THE USE OF PUBLIC SEWERS, REGULATE THE USE AND CONSTRUCTION OF PRIVATE SEWER SYSTEMS, TO COMPEL AND REGULATE CONNECTIONS TO THE PUBLIC SEWER SYSTEM, TO ESTABLISH FEES FOR SEWER SERVICE, CONNECTIONS TO AND CONSTRUCTION OF THE PUBLIC SEWER SYSTEM, TO ESTABLISH PENALTIES FOR DELINQUENT PAYMENT OF FEES, TO PROVIDE CIVIL AND CRIMINAL SANCTIONS FOR VIOLATIONS OF THE ORDINANCE, TO ESTABLISH THE EFFECTIVE DATE OF THE ORDINANCE AND TO REPEAL ORDINANCES NO. 1, 2, AND UNNUMBERED ORDINANCE ADOPTED NOVEMBER 2, 1959, SECTION 2 OF ORDINANCE NO. 6, ORDINANCES NO. 8, 15, 17, 18, 19, 20, 29, AND 30.

SOUTH SUBURBAN SANITARY DISTRICT ORDAINS AS FOLLOWS:

ARTICLE I

Definitions

For the purpose of this document the following words and phrases shall have the meanings respectively assigned to them by this Article.

Section 1: "PUBLIC SEWER" shall mean a sewer in which all property owners within South Suburban Sanitary District have equal rights and is controlled by the authority of the District.

Section 2: "SANITARY SEWER" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Section 3: "SEWAGE" shall mean a combination of water-carried wastes from residences, businesses, institutions and industrial

(Ordinance No 31)

establishments, together with such ground, surface and storm waters as may be present.

Section 4: "SEWAGE TREATMENT PLANT" shall mean any arrangement of devices or structures used for treating sewage.

Section 5: "SEWAGE WORKS" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Section 6: "SEWER" shall mean a pipe or conduit for carrying sewage.

Section 7: "PERSON" shall mean any individual, firm, company, association, society, corporation or group.

Section 8: "PREMISES SERVED" shall mean any lot, tract or parcel of land using public sewer or which requires the use of public sewer though not connected therewith.

Section 9: "USER" shall mean all persons discharging sewage into the public sewer. The word "user" may be qualified by type, as residential, commercial or industrial.

Section 10: "NORMAL DOMESTIC SEWAGE" shall mean sewage containing pollutants within the following range of values:

(a) PH shall be within the range of 6.5 to 8.0

(b) BOD shall not exceed 200mg/L.

(c) SS shall not exceed 200mg/L.

Section 11: "INDUSTRIAL WASTE" shall mean any flow or discharge into the public sewer which exceeds the limits defined as normal domestic sewage.

Section 12: "GARBAGE" shall mean solid wastes from domestic and commercial preparation, such as, but not limited to, solids resulting from cooking, dispensing of food or the handling, storage and sale of produce.

Section 13: "PH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions per liter of solution.

Section 14: "BOD" (denoting biological oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter as defined under standard laboratory methods in current use by the District.

Section 15: "SS" (denoting suspended solids) shall mean solids that either float on the surface or are in suspension in water, sewage or other fluid and which are removable by laboratory filtration.

Section 16: "SLUG" shall mean any discharge of water, sewage or industrial waste which exceeds (in concentration of pollutants or in quantity of flow), for any duration longer than 15 minutes, more than five times the normal 24-hour average concentration or flow of such discharge during normal operation.

Section 17: "Shall" is mandatory. "MAY" is permissive.

Section 18: "SEWER SERVICE CHARGE" shall mean all charges levied on users of the public sewer with the exception of connection fees and construction charges.

Section 19: "CONNECTION FEE" shall mean a charge levied upon persons wishing to connect premises served to the public sewer in accordance with Article IV, Section 2, of this ordinance.

Section 20: "CONSTRUCTION FEE" shall mean a charge levied upon persons wishing to connect premises served to the public sewer in accordance with Article IV, Section 3, of this ordinance.

Section 21: "MOBILE HOME PARK" shall mean property developed and used to accommodate mobile homes and the individual sites are sold, leased or rented for residential or business purposes of the occupants.

Section 22: "MOBILE HOME" shall mean a vehicle or structure constructed for movement on public highways, which has sleeping, cooking and plumbing facilities, is intended for human occupancy and is being used for residential or business purposes.

Section 23: "TRAILER PARK" shall mean property developed and used to accommodate camping vehicles, travel trailers and recreational vehicles which are not used as residences of the occupant.

Section 24: "RECREATIONAL VEHICLE" shall mean a vacation trailer or other unit, with or without motive power, which is designed for human occupancy and to be used temporarily for recreational or emergency purposes and has a floor space of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.

Section 25: "CAMPING VEHICLE" shall mean either a vacation trailer, or a self-propelled vehicle or structure equipped with wheels for highway use, and which is intended for human occupancy and which is being used for vacation or recreational purposes, but not for residential purposes.

Section 26: "TRAVEL TRAILER" shall mean a trailer that is of a type designed to be used on the highways, is capable of being used for human habitation, is not more than 8 feet wide and is six feet or more in height from floor to ceiling, and shall include tent trailers.

ARTICLE 11

Use of Public Sewer Required

Section 1: No person shall place, deposit or permit to be deposited in any unsanitary manner on public or private property within South

Suburban Sanitary District, or in any area under the jurisdiction of said district, any human or animal excrement, garbage or any other objectionable waste.

Section 2: No person shall discharge sewage to any other outlet than the public sewer except where suitable treatment has been provided in accordance with subsequent Articles of this ordinance.

Section 3: No person shall construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended for the disposal of sewage except as provided in subsequent Articles of this ordinance.

Section 4: The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within South Suburban Sanitary District shall be required at his own expense to install suitable toilet facilities therein, and to connect such facilities to the public sewer under the provisions of this ordinance within 90 days after official notification to do so.

ARTICLE 111

Private Sewage Disposal

Section 1: Where a public sewer is not available a person may construct or use a private sewage disposal system in compliance with the laws, ordinances and rules of the State of Oregon and Klamath County.

Section 2: The owner shall operate and maintain a private sewage disposal facility in a sanitary manner at all times and at no expense to South Suburban Sanitary District.

Section 3: No statement in this Article shall be construed to

interfere with any requirements made by federal, state or local governments or rule making bodies that may have jurisdiction.

Section 4: When a public sewer becomes available, the building sewer shall be connected to said sewer within 90 days after official notification to do so, and the private disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

ARTICLE IV

Building Sewers and Connections

Section 1: No unauthorized person shall uncover, make any connection or opening into, use, alter or disturb any public sewer or appurtenance thereto without first obtaining a written connection order from South Suburban Sanitary District.

Section 2: A written order for connection, either directly or indirectly, of a user's premises to the public sewer shall be issued only upon payment by the user of a connection fee. The fee for a single residential unit shall be \$250.00. In the case of multiple residential or business premises served, such as duplexes, triplexes, apartment buildings, motels, or mobile home parks, each extra unit above one shall incur a fee of \$50.00 in addition to the basic \$250.00 fee. For example, a duplex would incur a fee of \$300.00 or an 80-unit mobile home park would incur a connection fee of \$4,200.00. In the case of multiple occupants of office buildings each extra restroom facility above one shall incur a fee of \$50.00 in addition to the basic \$250.00.

In the case of commercial or industrial premises served which anticipate the production of an unusual volume of sewage or an effluent of unusual strength in some pollution parameter, the connection fee

shall be a proportionate multiple of \$250.00, calculated as a ratio of normal domestic sewage flow of 250 gallons per day.

Section 3: All costs and expense incident to the installation and connection of the user's building drain from the private property boundary to the public sewer shall be borne by the owner. The district may perform the appropriate construction at cost according to common engineering cost accounting methods in use by the district; or the owner may elect to accomplish the work by private means under supervision and inspection by district personnel. In either case, the size, slope, alignment, materials, excavation and backfilling of the building sewer, the building drain on private property and the sewer stub connection from private property to the public sewer shall conform to the building and plumbing codes of the State of Oregon and Klamath County.

Section 4: All costs and expense incident to the installation of sewer facilities and drains on private property shall be borne by the owner.

Section 5: A separate and independent building sewer shall be provided for every building, structure or mobile home site, except where one such structure stands at the rear of another on an interior lot. In any case where additional customer units are added to an existing sewer drain connection, whether on private property or otherwise, the owner shall obtain a connection order as required by Section 2 of this Article.

Section 6: Old building sewers may be used in connection of new buildings only when they are found to meet all the requirements of this ordinance.

Section 7: No person shall make connection of roof down spouts,

foundation drains, area drains or any other source of surface runoff or ground water to any building sewer or drain which connects directly or indirectly with the public sewer.

Section 8: The applicant for the sewer connection shall notify the district office in writing of the time and place when the building drain is ready for connection to the public sewer. All work shall be exposed and available for inspection by the district representative, and the connection to the public sewer shall be made under the inspection and supervision of such inspector. Such notification and final connection shall be made only during normal working hours of the district, which shall be Monday through Friday, except holidays, from the hours of 8:00 A.M. to 5:00 P.M. If a district inspector is not present at the construction site within one hour after the time mutually agreed upon between the applicant and the district, the applicant shall notify the district office of the default of the inspector's commitment and then may proceed with the connection and backfilling without further obligation to the district. If, however, the trench is backfilled without notification to the district, the applicant may be required to excavate the work for the purpose of inspection by the district representative. Once the district has approved the sewer drain connection from the boundary of private property to the public sewer, such sewer shall become the property of the district which shall thence forward be responsible for its maintenance and repair.

Section 9: The district shall be responsible for the maintenance and repair of all public sewers and side sewer connections up to the private property line. The user shall be responsible for the

maintenance and repair of all sewers, facilities and appurtenances thereto on private property, except where the district has obtained a legal easement or right of way for the extension of a public sewer across private property.

ARTICLE V

Use of Public Sewers

Section 1: No person shall discharge or cause to be discharged any storm water, surface water, ground water, uncontaminated cooling or wash or process water to any sanitary sewer.

Section 2: No person shall discharge or cause to be discharged any substances, material, waters or wastes if it appears likely in the opinion of the district engineer that such wastes can harm either the sewers, sewage treatment works or process, equipment, or have an adverse effect on the receiving stream, or can endanger life, limb or public property or constitute a menace or nuisance. Such prohibited substances include (but are not limited to) the following:

(a) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

(b) Any toxic or poisonous liquid, solid or gas in sufficient quantity, either alone or by interaction with other wastes, to cause a hazard or nuisance of any kind. There shall be a specific limitation of 0.5 mg/l for cyanides in the form of CN as a constituent of any sewage discharge into the public sewer. This shall include the 65 Toxic Pollutants referenced in 307 (a) of the Clean Water Act of 1977.

(c) Any sewage discharge having a PH lower than 5.5 or higher than 9.5, or having any corrosive property capable of causing a hazard or nuisance of any kind.

(d) Any solid or viscous substances in quantities or of such size or shape capable of causing obstruction of flow in sewers or other interference such as, but not limited to, ashes, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics,

wood, unground garbage, paunch manure, hair, entrails, paper dishes or containers either whole or shredded by a garbage grinder.

(e) Any liquid or vapor having a temperature higher than 60° centigrade (140°F).

(f) Any waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred mg/l or containing substances which may solidify or become viscous at temperatures between 0° and 60° centigrade (32° to 140°F).

(g) Any radioactive waste of such half-life or concentration as may exceed limits of applicable federal and state regulations.

(h) Any material or substance which imparts objectionable taste or discoloration to the receiving waters after discharge from the sewage treatment works.

(i) Any waste discharge which is not amenable to treatment or reduction by the sewage treatment process employed by South Suburban Sanitary District, or which exerts an unusual oxygen demand or chlorine requirement on the sewage treatment works.

(j) Any unusual flow or concentration of wastes constituting a "slug" as defined herein.

Section 3: If any wastes are discharged or proposed to be discharged into the public sewer which possess the characteristics described in Section 2 above, the district engineer may:

(a) Reject the waste and not allow such discharge into the public sewer.

(b) Require pretreatment to an acceptable condition for discharge into the public sewer.

(c) Require control over the quantity and rate of discharge.

(d) Require payment to meet additional costs of handling or treating or monitoring such waste discharges in excess of the normal service charges imposed in other sections of the ordinance.

Section 4: If the district engineer permits pretreatment or flow equalization of waste discharge by a user, the design and installation

of plants and equipment shall be subject to review and approval of the District engineer. All such installations shall be subject to the requirements of any federal, state or local law or regulation, and shall be designed and installed and maintained and operated at the sole cost to the user, including such sampling or monitoring as may be required by the District engineer.

Section 5: No statement contained in this Article shall be construed to prevent any special arrangement or agreement between South Suburban Sanitary District and any user with respect to any unusual waste discharge or cost thereof or payment therefor by the user.

ARTICLE VI

Service Fees Assessed by the District

Section 1: The monthly service fee shall be a minimum of \$6.00. Except as specifically set out below, the \$6.00 minimum rate shall apply to all individual dwelling units. In instances where multiple use is made of a single sewer connection by more than one user, as permitted by Article IV, Section 5, of this Ordinance, each such unit shall be required to pay the appropriate service fee provided by this Article.

Section 2: For motel units subject to intermittent occupancy, whether or not temporarily occupied, and other than permanent occupancy units such as the manager's residence, the monthly service fee shall be \$3.50 for each rental unit.

Section 3: For mobile home parks and individual mobile homes not located in established mobile home parks, whether or not temporarily occupied, the monthly service charge shall be \$6.00 for each mobile home pad of site installation.

Section 4: For trailer parks serving recreational vehicles, camping vehicles and travel trailers, whether or not temporarily occupied, the monthly service charge shall be \$3.50 for each trailer site served by the sewer.

Section 5: For dumping stations or sites provided by camp grounds or service stations or any other user, for the discharge of self-contained sanitary facilities as found in some recreational vehicles or campers or travel trailers, a monthly fee of \$8.00 shall be charged to the owner of such dumping station.

Section 6: A monthly service fee for users other than residential units shall be computed on the basis of water consumption by the user. The first 2000 cubic feet of water per month or fraction thereof shall be the minimum charge of \$8.00 per month. For all water consumption in excess of 2000 cubic feet the charge is \$0.25 per hundred cubic feet. Multiple occupants of a single building such as a medical-dental complex, business office building or credit union building, shall pay the \$8.00 monthly fee for each individual occupant of such establishment regardless of the specific number or location of sanitary facilities which may be provided on the premises. Water usage for each occupant will be based on water usage for the building divided by the number of occupants. For service stations, garages, markets, churches and other business establishments, the monthly service fee shall have the same basis as set forth next above unless water usage over 2000 cubic feet per month can be proved to be used for purposes which do not generate sewage discharge to the public sewer. For example: A service station using water for washing vehicles which discharges into the county storm drain system, or any establishment which uses a measured

amount excess water for irrigation.

Section 7: Any user who discharges industrial waste as defined in Article I of this ordinance shall be charged on a basis relating to the charges for normal domestic sewage and computed by the district engineer according to the demand exerted by such industrial waste on the sewage works. In general, packing plants, dairies or other industrial users shall be charged according to water volume consumption as set out in Section 6 of this Article, plus an additional charge to defray costs arising from any unusual parameter of the particular industrial waste.

Section 8: Monthly service fees charged by the district shall be due in advance for each full month of service provided. Such charge shall be billed by the district on a monthly, quarterly or annual basis and shall be paid at the place designated on such billing. Payments made for a full year in advance shall receive a discount equal to 3% of the total annual service fee. No discount shall be allowed for advance payments of less than one year. Delinquent sewer service fees, connection fees and construction fees which are not paid by the delinquent date as shown on the district billing form shall be subject to a penalty of 2% of the delinquent amount, or \$1.00, whichever is greater, for each month or portion of a month that the charge remains unpaid after the delinquent date. In the event that sewer service fees, connection fees or construction fees remain unpaid for a period of 90 days after the delinquent date as shown on the district billing form, such delinquent accounts may be certified to the Klamath County Tax Assessor for collection.

Section 9: There shall be imposed a penalty upon all delinquent

accounts for sewer service fees, connection fees and construction fees in an amount of 15% of the delinquent fees on all accounts which are certified to the Tax Assessor of Klamath County, Oregon, for collection by this office. Such penalties shall be a lien upon the property served. Penalties imposed by this Section shall be in addition to any interest or penalty provided under the provisions of Section 8 of this Article.

ARTICLE VII

Penalties for Ordinance Violation

Section 1: Any person found to be in violation of any provision of this ordinance shall be served by South Suburban Sanitary District with written notice stating the nature of such violation. Such notice shall be sent by United States registered mail, postage fully prepaid, to the address of such person as shown by the records of the District. If corrective action is required, the notice shall state such action and provide a reasonable time within which such corrective action shall be taken.

Section 2: Violation of the ordinance and/or the requirements contained in notices sent under Section 1 above, subject the violator to a fine of not less than one hundred dollars nor more than one thousand dollars for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the district may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this ordinance or the orders, rules regulations, and permits issued hereunder.

Section 3: Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this Ordinance, or Wastewater Contribution Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall, upon conviction, be punished by a fine of not more than \$1,000.

ARTICLE VIII

MISCELLANEOUS

Section 1: All articles, sections, paragraphs, sentences, phrases and words of this ordinance are severable, and if any such article, section, paragraph, sentence, phrase or word is found to be invalid or unconstitutional by judgement or decree of any court of competent jurisdiction, such judgement shall not invalidate any other or remaining article, section, paragraph, sentence, phrase or word of this ordinance.

Section 2: Ordinance No.1, adopted February 3, 1958; Ordinance No. 2, adopted September 14, 1959; a special ordinance adopted November 2, 1959; Section 2 of Ordinance No.6, adopted July 2, 1962; Ordinance No. 8, adopted June 17, 1963; Ordinance No. 15, adopted September 5, 1972; Ordinance No. 17, adopted September 11, 1973; and Ordinance No. 18, adopted September 10, 1974; and Ordinance No. 19, adopted May 10, 1976; and Ordinance No. 20, adopted June 22, 1976; and Ordinance No. 29, adopted May 23, 1983; and Ordinance No. 30 adopted May 5, 1986; are hereby repealed.

Section 3: This Ordinance No. 31 shall be in effect from and after January 7, 1988.

Adopted this 8th day of December 1987.

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Grant Perry
Grant Perry, Chairman

Walter C. Badorek
Walter C. Badorek, Director

Dennis Ensor, Director



STATE OF OREGON: COUNTY OF KLAMATH: ss.
Filed for record at request of South Suburban Sanitary District
of January A.D. 19 88 at 10:55 o'clock A M., and duly recorded in Vol. M88 day
of Deeds
FEE \$80.00
By Evelyn Biehn County Clerk
P. Am Smith

(Ordinance No 31)

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Set:
SOUTH SUBURBAN SANITARY DISTRICT
1818 Derby Street
Klamath Falls, Oregon 97601