

## Chapter 4

### UTILITIES

#### SEWER REGULATIONS

**4.000 Definitions.** The following words and phrases when used in sections 4.000 to 4.090, shall have the meanings given to them in this section:

BOD (denoting biochemical oxygen demand). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

Building Drain. That part of the lower horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewers, beginning five feet (1.5 meters) outside the inner face of the building walls.

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

Combined Sewer. A sewer designed and intended to receive both storm water and non-storm water sewage.

Development. Any man-made change to improved or unimproved real property, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Dwelling Unit or DU. That part of a building or structure which contains one or more rooms with a bathroom and kitchen facilities designed for occupancy by one family.

Equivalent Service Unit or ESU. An area of impervious surface which is estimated to place approximately equal demand on the city's storm drainage system as that placed by a single-dwelling unit.

One ESU shall be equal to 2,914 square feet of impervious surface. This figure was obtained through a statistical analysis of impervious area on lots with single-dwelling units within West Linn. This analysis concluded that the average single-dwelling unit contains 2,914 square feet of impervious area.

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

Impervious surface. Any surface area which either prevents or retards saturation of water into the land surface, or a surface which causes water to run off the land surface in greater quantities or at an increased rate of flow from that present under natural conditions. Common impervious surfaces include, but are not limited to, rooftops, concrete or asphalt sidewalks, walkways, patio areas, driveways, parking lots or storage areas, oiled or macadam surfaces or other surfaces which similarly impede the natural infiltration or increase runoff patterns.

Improved Premises. Any area which the public works director determines has been altered such that the runoff from the site is greater than that which could historically have been expected. "Improved premises" does not include public roads under the jurisdiction of the city, county, state or federal government.

Industrial Wastes.

(1) The liquid wastes from any nongovernmental user of publicly owned treatment works identified in the "Standard Industrial Classification Manual", 1972, Office of Management and Budget, as amended and supplemented under the following divisions:

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(a) Division A--Agriculture, Forestry, and Fishing;

(b) Division B--Mining;

(c) Division D--Manufacturing;

(d) Division E--Transportation, Communications, Electric, Gas, and Sanitary Services;

(e) Division I--Services.

(2) A user in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

**Manufactured Home Park.** Has the same meaning as the term used in Section 36.030 of the West Linn Community Development Code.

**Natural Outlet.** Any outlet into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.

**On-site Control System.** A storm drainage facility which the public works director has determined prevents the discharge or substantially reduces the discharge of storm water, or nonpoint source pollution into a receiving water or public storm drainage facility.

**Open Drainageway.** A natural or man-made path, ditch or channel which has the specific function of conveying natural stream water or storm runoff water.

**pH.** The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

**Person Responsible.** The owner, agent, occupant, lessee, tenant, contract purchaser or other person having possession of property, or if no person is in possession, then the person in control of the use of property, or in control of the supervision of development on property.

**Properly Shredded Garbage.** 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 inch (1.27 centimeters) in any dimension.

**Public Sewer.** A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

**Public Works Director.** The person or agent designated by the city manager.

**Runoff Control.** Any measure approved by the public works director by which storm water runoff from impervious surface is controlled.

**Sanitary Sewer.** A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority, and which is designed and intended to exclude storm water.

**Sewage.** A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such groundwater, surface water, and stormwater as may be present, including combined sewer flows when authorized by the City. Sewage also includes the separate collection, transportation and treatment of storm water through the storm drainage system.

**Sewage Treatment Plant.** Any arrangement of devices and structures used for treating sewage.

**Sewage Works.** All facilities for collecting, transportation, pumping, treating, and disposing of sewage.

**Sewer.** A pipe or conduit for carrying sewage.

**Slug.** Any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than 5 times the average 24-hour concentration or flows during normal operation.

**Storm Drain or Storm Sewer.** A sewer designed and intended to carry only stormwater and surface water and drainage.

**Storm Drainage Service.** The operations of the city's storm drainage system in providing programs and facilities for maintaining, improving, regulating, collecting, and managing storm water quantity and quality within the city's service area.

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**Storm Drainage System.** Any structure or configuration of ground that is used or by its location becomes a place where storm water flows or is accumulated, including but not limited to pipes, sewers, curbs, gutters, manholes, catch basins, ponds, open drainageways and their appurtenances. "Storm drainage system" does not include the Willamette or Tualatin Rivers or creeks expressly excluded by action of the city.

**Storm Water.** Water from precipitation, surface or subterranean water from any source, drainage and nonseptic waste water.

**Suspended Solids.** Solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

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

[Section 4.000, Definitions, amended by Ordinance No. 1437, effective July 1, 1999.]

**4.002 Environmental Services Utility and Fund.** There is hereby created the Environmental Services Utility and Fund. The Fund shall be known as the Environmental Services Fund.

[Section 4.002 added by Ordinance No. 1437, effective July 1, 1999.]

### **4.003 Policy.**

(1) The sewerage system for the City shall be known as the Environmental Services Utility. It is composed of the sanitary sewer, storm sewer and combined sewer systems. ORS Chapters 224, 454 and 468B authorize local governments to provide a sewage system which separately, or in combination, collects, transports and treats sanitary and storm waters. The City Council determines that the combination of the previously existing separate sanitary and storm water utilities will result in the

most efficient method of carrying out the authority granted by these provisions.

(2) The fund for the City's sewerage system shall be known as the Environmental Services Fund. All revenue collected from charges imposed under Section 4.005 and 4.072 shall be placed in the Fund. Money in the Fund shall be used for planning, design, construction, regulation, maintenance and administration of the sewage system and providing sewage service, including repayment of indebtedness incurred after the effective date of this provision, and for all expenses of any kind incurred in the operation and management of the Environmental Services Utility and providing sewage service.

(3) Rate increases for the Environmental Services Utility are subject to the provisions of Section 44 of the City Charter. The storm sewer and sanitary sewer systems were separate systems at the time Section 44 was approved by the voters. Section 44 does not prevent the combination of utilities. For the purposes of consideration of rate increases, the Environmental Services Utility is one utility system. Any rate increase for the Environmental Services Utility is subject to the provisions of Section 44 as a single utility system.

[Section 4.003 added by Ordinance No. 1437, effective July 1, 1999.]

### **4.005 Use of Public Sewers Required-- Subsurface Disposal Systems.**

(1) All premises on which there is located any building, structure, mobile home, motor home, vacation trailer, or any other facility containing sinks, water closets, bathtubs, showers, or any device for receiving sewage and/or waste water shall be connected to the city sanitary sewer system in all cases where such sewers are adjacent to, or within 200 feet of, such premises. Connection to the sanitary sewer shall not be required of any motor home, vacation trailer, or camper which is parked on the premises for storage only. All existing

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premises located adjacent to or within 200 feet of a city sanitary sewer at the time of enactment of the ordinance codified in sections 4.000 to 4.060 shall connect to said sanitary sewer within 90 days of receiving written notice from the city manager to connect to said sanitary sewer.

(2) No cesspools, septic tanks, subsurface disposal field, leaching bed, or wet wall shall be installed or utilized for the purpose of disposal of sewage or waste water from any premises which are adjacent to, or within 200 feet of, a city sanitary sewer.

(3) (a) Properly designed and approved subsurface disposal systems may be approved for installation where premises to be served are not adjacent to, or within 200 feet of, a city sanitary sewer.

(b) Complete detailed plans and specifications shall be submitted with each application for a permit for a subsurface disposal system. These plans and specifications shall include, as a minimum, the following information:

(i) Topographic map of the lot or parcel showing existing elevations, drainage channels and/or drainage patterns, together with a detailed, scaled, plot plan showing all existing or proposed and detailed layout of the proposed subsurface disposal system;

(ii) A valid permit, issued by the Oregon State Department of Environmental Quality, or the County Public Works Department.

(4) All permits issued for installation of subsurface disposal systems subsequent to the enactment of the ordinance codified in sections 4.000 to 4.060 shall be granted under the express condition and agreement, that, within 90 days following the installation of sanitary sewers adjacent to, or within 200 feet of, the premises, the use of such subsurface disposal system

shall be discontinued and the premises connected to the sanitary sewer. Abandonment of the subsurface disposal systems shall be in accordance with the provisions of section 4.060 of this code.

(5) (a) No storm water including drainage from roof drains, area or driveway drains, swimming pools, catch basins or storm sewers, springs, or any other source other than normal plumbing devices, shall be connected to or allowed to enter any sanitary sewer without prior approval by the City for that sewer to become a combined sewer.

(b) Basement drains may be connected to sanitary sewers provided there is no excess water in such basement and such drain shall receive only that water which may seep into a concrete lined basement or such water as may be used for cleaning such basement.

(6) (a) No person, firm, or corporation shall install, construct, or lay any sanitary sewer pipe connecting to the city sanitary sewer system, or install, construct, or utilize any subsurface disposal system, without first making proper application, paying the required fee, and receiving a duly authorized permit from the city.

(b) Issuance of such permit, and all installations, authorized thereby, shall be in full conformance with all requirements of sections 4.000 to 4.060 and all other applicable ordinances, rules, and regulations of the city, and rules and regulations of the Oregon State Plumbing Code. No portion may be covered prior to approval by the city.

(7) No matter, material, or substance other than sewage, shall be permitted to enter the sanitary sewer system, and no matter, material, or substance of any kind shall be deposited in any manhole or cleanout except such cleaning or flushing materials or substances as may be authorized or directed by the city manager. No commercial, manufacturing, or processing wastes and no septic tank or cesspool contents or effluent shall be placed in any sani-

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tary sewer system, unless a permit therefor shall have been first obtained from the city. Such permit will be issued only under conditions, and for such materials, as may be designated by the city.

(8) Any existing private sewer line or house service line connecting to any city sanitary sewer and which is deemed to be a hazard to public health due improper construction, deterioration, lack of repair and maintenance, or from any other cause shall, upon determination of the existence of such hazard by the city manager, be repaired as directed by the city manager. Such repairs shall be completed within 30 days of the date of delivery to the owner or occupant of the property of written notice to make the repairs.

(9) Any subsurface disposal system which is found to be malfunctioning as determined by the county soil scientist, D.E.Q., or the city manager, shall be repaired by the owner or occupant of the property within 30 days of delivery of written notice to make such repairs. All premises which are determined to have a malfunctioning subsurface disposal system, and are adjacent to, or within 200 feet of, a city sanitary sewer, shall be connected to said sanitary sewer within 90 days of receiving written notice from the city manager to connect to said sanitary sewer, and the subsurface disposal system shall be abandoned in accordance with the provisions of section 4.060 of this code.

(10) (a) Any person, firm or corporation desiring to obtain a permit to connect to the sanitary sewer system or to install a subsurface disposal system shall make written application therefor to the city.

(b) Such application shall be accompanied by a connection fee and in an amount conforming to the connection fee required by the Tri-City service district at the time of the application for a sewer connection.

(c) The Tri-City Service District is a service district under the jurisdiction of the Clackamas County Commission, which has

the authority to establish sewer connection fee and sewer service charge within the city.

(d) The collection of the connection fee by the city is not to be construed as constituting the imposition of that fee by the city. Collection by the city occurs only for the purpose of providing convenient administration for the benefit of applicants.

(e) In the event of future revisions in the equivalent service unit connection fee and/or the sewer service charges by the Tri-City Service District, applications for sewer connections submitted after the effective date of such revised equivalent sewer connection unit fee and sewer service charges incurred after the effective date of such revised sewer service charge shall be charged the then prevailing connection fee and/or sewer service charge.

(11) The sewer service charge schedule established for the Tri-City Service District by the Clackamas County Commission is established as the sewer service charge for the city with such changes being effective on the effective date of the adoption of the Clackamas County Commission orders regarding establishment and revision of such sewer service charges. The Tri-City sewer service charge is the charge passed through to the city for sewage treatment.

(12) Any sewer service charges within the city which are above and in addition to the pass through rates charged by the Tri-City Service District, as established by the Clackamas County Commission, may be set by resolution of the City Council. The additional city charge may not increase by more than 5% in any calendar year without voter approval. Any request for an additional charge increase shall be referred to the Utility Advisory Board for consideration and recommendation to the City Council. The rates for sewer service charges and rates for storm drainage fees established by §4.072(2)(d) may be considered separately or in combination. The sum total increase that results from separate or combined consideration is the increase for the

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Environmental Service Utility system for the purpose of the 5% limitation of Section 44 of the City Charter. If considered separately the combined rate increase shall not exceed 5% in any calendar year without voter approval. If the Utility Advisory Board fails to refer a recommendation to the Council within sixty (60) days of receipt of the request for consideration, the Council may consider the request without a Utility Advisory Board recommendation.

(13) Reduced Sewer Service Charges for Low Income Citizens.

(a) Reduced sewer service charges shall be made available to low income citizens meeting the eligibility requirements pursuant to section 4.155.

(b) This section shall in no way limit any similar reduction in sewer service charges by the Tri-City Service District for its portion of the rates.

[Amended by Ordinance No. 1437, effective July 1, 1999; amended by Ordinance No. 1468, effective March 16, 2001.]

### **4.010 Discontinuance of Sewer Service by Customer.**

(1) Whenever any water customer wishes to have their sewer service discontinued for a period not less than fifteen days, the customer shall apply in writing to the water office and pay their account balance in full. Water service will be turned off and turned on again at no charge to the customer and any unbilled charges for sewer services shall be prorated, based on the actual days of service provided during the billing cycle.

(2) In the event a water customer wishes to have their sewer service discontinued for a period less than fifteen days, the customer shall apply in writing to the water office, pay their account balance in full and pay a \$20 service charge. Any unbilled charges for sewer services shall be prorated, based on actual days of service provided during the billing cycle.

(3) Water service will not be turned off and turned on again without writ-

ten notice and receipt of payment as prescribed in this section.

### **4.015 Responsibility for Sewer Charges, Delinquent Payments, Water Shut Off for Nonpayment, Security Deposit Required and Charge for Nonsufficient Funds.**

(1) The customer shall be responsible for all charges for sewer service.

(2) Whenever any sewer charge is not paid when due, the water department may discontinue service by shutting off water service for nonpayment. Water shall not be returned to service until the customer pays their account balance in full and a \$30 service charge is paid. Upon receipt of these payments at the water office during regular office hours, the customer's water service will be restored by the city during regular working hours. Written notice for discontinuing water service for nonpayment of charges shall be given to the customer by regular mail, or by posting a notice on the premises at least ten days in advance of the shut off. The notice shall state that if the charges are disputed, the responsible customer may request an informal conference with the city manager or his/her designee. Such request must be received no later than two days prior to the scheduled shut off date.

(3) The city may require security (cash) deposits prior to providing, or to continue providing, sewer service to any customer. The amount of the security deposit may not be less than one, or more than four months minimum billing charges. In lieu of a deposit, the city may accept a signed agreement from the property owner (whether the customer or not) stating that they will be ultimately liable for any and all charges for services provided to the premises, and that the city may use a lien as one method for securing payment if the charges are not paid. However, the city may not require a property owner to sign such an agreement. If the property owner elects to authorize the use of a lien on real

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property to secure payment of charges in lieu of a security deposit, all sewer charges shall be a lien against the premises served from and after the date of billing. The entry of charges on the city's ledgers or other records pertaining to its lien shall be made accessible for inspection by anyone interested in ascertaining the amount of such charges against the property. Whenever a bill for services remains unpaid, the lien hereby created may be foreclosed in the manner provided for by ORS 223.610, or in any other manner provided by law or city ordinance.

(4) When a customer's check is returned for nonsufficient funds, the City shall charge a fee in an amount to be set by resolution of the City Council.

[Section 4.015(4) amended by Ordinance No. 1492, adopted December 18, 2002.]

### **4.020 Prohibited Actions.**

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

(2) It is unlawful, to discharge to any natural outlet within the city, or in any area under the jurisdiction of said city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of sections 4.000 to 4.060.

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

### **4.025 Private Sewage Disposal.**

(1) Where a public sanitary sewer is not available under the provisions of sections 4.000 to 4.060, the building sewer shall be connected to a private sewage

disposal system complying with the provisions of sections 4.000 to 4.060.

(2) The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Environmental Quality of the state. 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 twenty thousand square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

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

(4) No statement contained in this section shall be construed to interfere with any additional requirements which may be imposed by the Department of Environmental Quality, county soil scientist, or the city.

### **4.030 Building Sewers and Connections.**

(1) No unauthorized person 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 city.

(2) There shall be three classes of building sewer permits: For single-family residential service; for service to multifamily residential buildings; and for commercial establishments. In any case, the owner or his agent shall make application on a special form furnished by the city.

(3) The permit application shall be supplemented by any plans, specifications, or other information considered pertinent by the city. A permit and inspection fee shall be as provided in section 4.005, subsection (10).

(4) All costs and expense incident to the installation and connection of the building sewer shall be borne by the applicant. The applicant shall indemnify the city

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from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(5) A separate and independent building sewer shall be provided for every building, except where otherwise approved by the city.

(6) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the city, to meet all requirements of sections 4.000 to 4.060.

(7) 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 city and state.

(8) 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.

(9) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of stormwater runoff of groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer without prior written approval from the City to create a combined sewer.

(10) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city or state. All such connections shall be made gastight or watertight. Any deviation from the prescribed procedures and materials must be approved by the city before installation.

(11) The applicant for the building sewer permit shall notify the city when the

building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the city.

(12) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work, shall be restored in a manner satisfactory to the city.

[Amended by Ordinance No. 1437, effective July 1, 1999.]

### **4.040 Application for Building Sewer Permit.**

(1) Application for a building sewer permit to connect to a sanitary sewer line shall be made contemporaneously with the application for a building permit for the building or structure which is to be connected to the sanitary sewer line, except when the building sewer permit is to allow connection to a sanitary sewer line from a building or structure already in existence and already serviced by a subsurface disposal system; and further provided, that such building or structure serviced by a subsurface disposal system is not in the process of being enlarged or altered so as to require the issuance of a building permit.

(2) Every building sewer permit shall expire by limitation and become null and void if connection is not made to a sanitary sewer line within one hundred twenty days from the date of issuance of such permit. In the event a building sewer permit so expires, before a connection to a sanitary sewer line is made, the building sewer permit fee for connection to a sanitary sewer line which has previously been paid is not refundable.

(3) Before a connection can be made in the event of the expiration of a building sewer permit, a new sewer permit fee shall be obtained to do so, and the sewer permit fee for connection to a sanitary sewer line shall be one-half the amount

required for a new building sewer permit fee; provided, that no significant changes have been made or will be made in the original plans and specifications for the structure which will be connected to the sanitary sewer line, and provided further that such suspension or abandonment has not exceeded one year from the original issuance of the building sewer permit.

**4.045 Maintenance and Damage Responsibility for Private Sewer Lines.**

The customer shall be responsible for the maintenance of the private sewer line from the public sewer connection to the premises served. The city shall not be liable for any damage accruing from the failure of a private sewer or of fixtures or appurtenances attached thereto.

**4.050 Use of Public Sewers.**

(1) No person shall discharge or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, or unpolluted industrial process waters to any sanitary sewer without prior written approval from the City to create a combined sewer.

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

(3) 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 gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment

process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two mg/l or 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, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(4) No person shall discharge or cause to be discharged, the following described substances, materials, waters, or wastes if it appears likely, in the opinion of the city, 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 determining the acceptability of these wastes, the city will give consideration to such factors as to quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of 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. Substances prohibited are:

(a) Any liquid or vapor having a temperature higher than one 150 degrees Fahrenheit (65 degrees Celsius);

(b) Any water or waste containing fats, gas, grease, or oils, whether emulsified

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or not, in excess of one hundred mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees and 150 degrees Fahrenheit (0 degrees and 65 degrees Celsius);

(c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the city;

(d) Any waters or wastes containing strong acid iron 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 degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the city for 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 city as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction of such discharge to the receiving waters;

(g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the city in compliance with applicable state or federal regulations;

(h) Any waters or wastes having a pH in excess of 9.5;

(i) Materials which exert or cause:

(i) Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);

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

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

(iv) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein;

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

(5) 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 this section, and which, in the judgment of the city, 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 city may:

(a) Reject the wastes;

(b) Require pretreatment to an acceptable condition for discharge to the public sewers;

(c) Require control over the quantities and rates of discharge; and/or

(d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of subsection 4.005(10).

(6) If the city 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 city, and subject to the

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requirements of all applicable codes, ordinances, and laws.

(7) Grease, oil, and sand interceptors shall be provided when, in the opinion of the city, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, 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 city and shall be located as to be readily and easily accessible for cleaning and inspection.

[Amended by Ordinance No. 1437, effective July 1, 1999.]

### **4.055 Protection From Damage.**

No person shall maliciously, wilfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works.

### **4.060 Sealing of Abandoned Septic Tanks Required.**

It is unlawful or any owner of a septic tank to abandon the tank without first completely pumping same out. All septic tank roofs shall be removed and the tank filled with sand and water settled. If the tank is constructed of concrete and in good condition it need not be pumped out and filled with sand. The concrete roof shall be permanently sealed to the satisfaction of the city engineer or his representative. The septic tank shall be inspected and approved by the city engineer or his representative before the tank is covered.

## **SURFACE WATER MANAGEMENT**

### **4.062 Storm Sewer Policy.**

(1) Pursuant to the general laws of the State of Oregon and the powers granted in the charter of the city, the council does hereby declare its intention to acquire, own, construct, reconstruct, equip, operate, regu-

late and maintain within the city limits of the city, and outside the city limits when consistent with the council's adopted policies or intergovernmental agreements, a storm drainage system, as an integral part of the Environmental Services Utility and also, when authorized by law, to require persons responsible to construct, reconstruct, maintain and extend the storm drainage system.

(2) The improvement of both public and private storm drainage facilities through or adjacent to a new development shall be provided by the person responsible for the development. Said improvements shall comply with all applicable city ordinances, policies and standards.

(3) No portion of sections 4.000 to 4.090 or statement herein or subsequent interpretations or policies shall relieve any property owner of assessments levied against real property for a local improvement project or for abating conditions on the property that violate any provision of this code.

[Amended and renumbered 4.062 by Ordinance No. 1437, effective July 1, 1999. Previously Section 4.555, Policy]

### **4.063 General Discharge Prohibitions**

(1) It is unlawful to discharge or cause to be discharged directly or indirectly into the City storm sewer system and/or a surface water body, any of the following:

- A. Any discharge having a visible sheen;
- B. Any discharge having a pH of less than 6.0 Standard Units (S.U.) or greater than 9.0 (S.U.);
- C. Any discharge that contains toxic chemicals in toxic concentrations;