

City of West Linn Municipal Code

4.070 Private Responsibilities.

- (1) Storm drainage facilities to be managed by the person responsible include but are not limited to:
 - (a) A storm drainage facility not located on City owned property, City right-of-way, or City easement;
 - (b) A private parking lot storm drain;
 - (c) Any roof, footing, or area drain;
 - (d) A storm drainage facility not designed and constructed for use by the general public;
 - (e) An open drainage way;
 - (f) Access drive culverts in the public right-of-way or on private property;
 - (g) A detention, retention or treatment system, in the construction of which the City did not financially participate.
- (2) Any person responsible shall keep open drainageways on property which they possess or control cleared of debris and vegetation as required by Sections [5.400](#) to [5.430](#).
- (3) Any person responsible for non-public storm treatment and detention facilities such as catch basins, manholes, filter systems, rain gardens, etc., shall enter into a maintenance agreement with the City, and maintain such facilities so as to prevent flooding or damage to other property not possessed or controlled by the person responsible and to prevent injury to any person or property not owned or controlled by the person responsible.
 - (a) The maintenance agreement shall be recorded in the deed records of Clackamas County, Oregon.
- (4) Any person responsible shall not alter a detention, retention or treatment system from its original properly functioning condition or intended design without prior approval of the City Engineer.

Private parking lots and private streets must be swept or cleaned at least semi-annually. Prior to the sweeping or cleaning, bio-filter bags (or filter fabric inlet sacks) must be installed to prevent pollution during the maintenance effort from entering the City's storm drainage system and impacting downstream water quality. The property owner or manager must certify every year through a cleaning contractor that the inspections and cleanings have been completed.
- (6) The failure of any person responsible to comply with the obligations stated in subsection (1), (2), (3), (4) or (5) of this section is in violation.
- (7) The conditions on private property which may result in situations proscribed by subsection (2), (3), (4) or (5) of this section are declared to be a danger to public health and safety and therefore are a nuisance to be abated as provided in Sections [5.400](#) to [5.430](#).

[5.400](#) to [5.430](#)

5.425 Nuisances Affecting Public Health.

No owner or person in charge of property may permit or cause a nuisance affecting public health. The following are nuisances affecting public health, and may be abated as provided in Sections [5.400](#) to [5.530](#):

- (1) Privies. An open vault or privy constructed and maintained within the City, except those constructed or maintained in connection with construction projects in accordance with the Department of Environmental Quality regulations;
- (2) Debris on Private Property. Accumulations of debris, rubbish, manure and other refuse located on private property that are not removed within a reasonable time and that affect the health, safety or welfare of the City;
- (3) Stagnant Water. Stagnant water which affords a breeding place for mosquitoes and other insect pests;
- (4) Water Pollution. Pollution of a body of water, well, spring, stream or drainage ditch by sewage, industrial wastes, or other substances placed in or near such water in a manner that will cause harmful material to pollute the water.
- (5) Food. Decayed or unwholesome food which is offered for human consumption;
- (6) Odor. Premises which are in such a state or condition as to cause an offensive odor or which are in an unsanitary condition;
- (7) Surface Drainage. Drainage of liquid wastes from private premises;