

Chapter 3.01
SANITARY SEWER SYSTEM

Sections:

3.01.010	<u>Adoption.</u>
3.01.020	<u>Definitions.</u>
3.01.030	<u>Privies Septic Tanks.</u>
3.01.040	<u>Connection Required.</u>
3.01.050	<u>Penalties.</u>
3.01.060	<u>Discontinuance of Service.</u>
3.01.070	<u>Exceptions.</u>
3.01.080	<u>Exemptions.</u>

3.01.010 Adoption.

The terms and provisions of Unified Sewerage Agency of Washington County Ordinance No. 9, as amended, and Unified Sewerage Agency of Washington County Resolution and Order No. 82-40, 82-44, and 82-45, copies of which ordinance and resolutions and orders are attached hereto are hereby expressly adopted and shall be known and referred to as "The City of North Plains Sewerage System Code."

3.01.020 Definitions.

For purposes of administering and enforcing the provisions of Washington County Ordinance No. 9 and the identified resolutions and orders described in Section 3.01.010 above, the following terms shall have the indicated meaning unless expressly provided otherwise:

- (1) "Agency," "Unified Sewerage Agency Advisory Commission (USAAC)," and "Board" shall mean the City Council of the City of North Plains.
- (2) "General Manager" shall mean the City Recorder of the City of North Plains, Oregon.
- (3) "County" shall mean the City of North Plains, Oregon.
- (4) "System" or "Agency Wastewater" or "Agency Sewerage System" shall mean the complete system of City-owned interceptors, trunks, mains, laterals, outfall lines, pumping stations and any other conveyances used for the collection of sewage and the treatment thereof located in the City of North Plains, Oregon.

3.01.030 Privies Septic Tanks.

No person shall construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage within the corporate limits of the City. [Added by Ord. 150, December 17, 1985; amended by Ord. 151, January 7, 1985.]

3.01.040 Connection Required.

The owner of all buildings situated within the City and abutting on any street, sewer easement, alley or right-of-way in which there is located a public sanitary sewer is hereby required at the owner's expense to connect such building directly to the public sewer not later than August 15, 1985. In the event that the owner of any structure to be connected to the public sanitary sewer system requests in writing an extension of time to connect said structure or structures and said written request is filed with the City Council prior to August 15, 1985, the City shall not enforce the provisions of this subsection upon the owner until the Council, at a regular or special meeting called for such purpose, shall hear the basis of the request for extension by the owner. The meeting of the Council at which the request is heard shall be held not less than ten days or more than 30 days from and after the date on which the owner's written request is filed with the City Recorder. The Council may extend the time within which the connection shall be made to a date certain and only upon a finding that:

- (1) Exceptional or extraordinary conditions applying to the structure that do not apply generally to other structures relating to the ability of the owner to connect the structure to the public sanitary sewer, or
- (2) Exceptional or extraordinary circumstances over which the owner has no control, which circumstances make it impossible for the owner to connect such structure or structures within the time required, and
- (3) The authorization of the extension shall not be materially detrimental to the public health and safety or be injurious to property adjacent to or affected by the owner's failure to connect said structure or structures within the required time.

The Council may not grant more than two requested extensions for any structure or structures irrespective of the ownership or change of ownership of the structure or structures at the time said extension is requested. [Added by Ord. 150, December 17, 1985; amended by Ord. 151, January 7, 1985; amended by Ord. 156, August 5, 1985.]

3.01.050 Penalties.

Any owner failing or refusing to connect a building to the public sewer system within the time provided in section 3.01.040 above shall be subject to a fine in the amount of \$100 for each day the building remains unconnected. [Added by Ord. 150, December 17, 1985; amended by Ord. 151, January 7, 1985.]

3.01.060 Discontinuance of Service.

The City may discontinue water service to the premises upon which a building or buildings is located which building or buildings is not connected to the public sewer system in accordance with the provisions of section 3.01.040 above. If the City elects to discontinue said water service, it shall provide the owner of such premises not less than five days written notice of the City's intention to discontinue water service. If such noncompliance affects matters of health or safety or other conditions that warrant such action, the City may discontinue water service immediately. [Added by Ord. 150, December 17, 1985; amended by Ord. 151, January 7, 1985.]

3.01.070 Exceptions.

The provisions of section 3.01.040 above shall not apply to buildings which cannot be served by improvements constructed and shown on sanitary sewer system drawings marked Exhibit "A," attached hereto and by this reference incorporated herein consisting of two sheets. [Added by Ord. 150, December 17, 1985; amended by Ord. 151, January 7, 1985.]

3.01.080 Exemptions.

Notwithstanding the provisions of section 3.01.040, the City Council may grant an exemption from the requirement to connect a building or buildings to the public sewer upon a showing, by the applicant for exemption, that:

- (1) Failing to connect the building or buildings would not result in or contribute to a condition which would impair the health and safety of the residents of the City, and
- (2) Failing to connect the building or buildings to the public sewer would not have significant adverse impacts on the value of property in the area of the exemption, and
- (3) The request for exemption including the proposed alternative system has been approved in writing by the general manager of Unified Sewerage Agency of Washington County and the Department of Environmental Quality in the state of Oregon.

The exemption, if granted, shall be for a term certain. Extensions of the exemption may be granted by the Council upon a showing by the applicant of compliance with the criteria set forth in subsections (1), (2) and (3) above. An application for extension shall be filed by the applicant prior to the expiration of the exemption. Conditions of approval may be imposed by the Council to mitigate impacts of the failure to connect to the public sewer system which conditions may include a periodic review during the term of the exemption of the operation of the non-public system to determine if additional conditions should be imposed to insure the health, peace, safety and welfare of the residents of the City and affected property.

An application for an exemption or an extension of an exemption shall be filed with the City Recorder on forms provided by the City together with a filing fee in an amount equal to the fee required for a zone change under the provisions of the City of North Plains Zoning Code in effect at the time of the application. [Added by Ord. 183, December 4, 1989]

(ORD. 146, January 7, 1985.)