MEMORANDUM

TO: Mayor and City Council

FROM: Faye Stewart, Public Works & Development Director

SUBJECT: ORDINANCE AMENDING CHAPTER 13.08 OF THE COTTAGE GROVE MUNCIPAL CODE RELATED TO SEWER REGULATIONS IN ITS ENTIRETY.

DATE: December 5, 2018

BACKGROUND

Over the years Chapter 13.08 of the Cottage Grove Municipal Code has been amended multiple times, adding sections, and deleting sections that were no longer necessary. The code had become unorganized and difficult to understand. In addition Federal and State Laws governing sewer collection and wastewater treatment have changed. It became apparent the code needed to be reviewed and re-written to modernize the language and to address all aspects of current operations.

The Public Works & Development Director, Legal Counsel, City Engineer, Finance Director, and City Manager, as well as staff who deal directly with the sewer collection and wastewater treatment, were involved in re-writing the proposed code to reflect current law, operations, and procedures.

One goal of the revised code language is to improve subsections referring to pretreatment and FOG (fats, oils, and grease) to reflect current regulations, allowing staff to implement programs regulating pretreatment and FOG. Code provisions were also reorganized with similar provisions being grouped together for ease of locating applicable regulations.

The proposed code does not create any new fees.

Staff will continue its efforts to modernize and update existing code provisions by drafting stormwater regulations required by changes in population for Council consideration.

RECOMMENDATION

Staff recommends that the City Council hold the first vote and set the second vote on the ordinance at the next Council meeting on January 14, 2019.

COST

No cost.

Richard Meyers, City Manager

Faye Stewart, Public Works & Development Director

ORDINANCE NO.

AN ORDINANCE REPEALING AND REPLACING CHAPTER 13.08 OF THE COTTAGE GROVE MUNICIPAL CODE, RELATED TO SEWER REGULATIONS, IN ITS ENTIRETY.

WHEREAS, the City Council has established and amended the Sewer Regulations by ordinance over the years; and

WHEREAS, those ordinances were codified in the Cottage Grove Municipal Code as Chapter 13.08; and

WHEREAS, it has became necessary to review and update the provisions within Chapter 13.08 to reflect current operations of the sewer collection and wastewater treatment systems; and

WHEREAS, the review generated the necessity to make numerous changes to Chapter 13.08 to prepare new regulations and procedures for dealing with the sewer collection and wastewater treatment systems for City Council consideration; and

WHEREAS, the City Council finds that it is in the public interest to repeal and replace Chapter 13.08 of the Cottage Grove Municipal Code in its entirety; and

WHEREAS, the City Council finds that it is in the interest of the public's health, safety and welfare to adopt the amended sewer regulations attached as "Exhibit A".

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Enactment. Chapter 13.08 of the Cottage Grove Municipal Code is hereby repealed and replaced in its entirety with the Chapter 13.08 attached as Exhibit A and incorporated into this Ordinance by this reference.

PASSED BY THE COUNCIL AND APPROVED THE MAYOR THIS _____DAY OF _____, 2018.

_____
Jeffrey D. Gowing, Mayor
Dated:_____

ATTESTED:

_____
Richard Meyers, City Manager
Dated:_____

Chapter 13.08

SEWER REGULATIONS

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13.08.010 Definitions.

As used in this chapter, the singular shall include the plural, and the masculine shall include the feminine. Except where the context indicates otherwise, the following words and phrases shall have the meanings set out for them in this chapter:

A. "Applicant" means a person, firm, corporation, association, or agency applying for service.

B. "Biochemical oxygen demand (BOD)" means the quantity of oxygen, expressed in parts per million by weight, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of twenty degrees centigrade, as set forth in Standard Methods.

C. "Building" means the erection, acquisition, alteration, remodeling, improvement or extension of treatment works.

D. "City" means the City of Cottage Grove.

E. "City specifications" means the latest edition, with amendments, of Standard Specifications for Public Works Construction, as published by the City of Cottage Grove.

F. "Combined sewer" means a sewer that is designed as a sanitary sewer and a storm sewer.

G. "Commercial customer" means all users or premises used for any purpose other than a dwelling or a duplex as defined by this chapter.

H. "Customer or User" means any individual, firm, corporation, company, fraternal organization, cooperative, governmental body, partnership, institution, or association which maintains connection to, discharges to, or otherwise receives services from the City's water, wastewater, sewer, or storm water systems. The occupant of property, if not the owner, is considered the customer or user. If property is vacant, the individual or entity that has the right to occupy the property shall be deemed the customer or user.

I. "Dwelling" means any building or portion thereof which contains one or two dwelling units, intended or designed to be built, used, rented, leased, let or hired out to be occupied, or which are occupied for living purposes.

J. "Dwelling unit" means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

K. "Equivalent Service Unit" (ESU) means a configuration of development or impervious surface estimated to contribute an amount of runoff to the City's storm water system that is approximately equal to that created by the average developed single-family residence. One ESU is equal to 2,650 square feet of impervious surface area. All single family residences will be deemed to be one ESU regardless of impervious surface area.

L. "Fee Schedule" means a schedule of fees applied within the City as adopted and updated from time to time by resolution.

M. "Garbage" means the residue from the preparation and dispensing of food, and from the handling, storage and sale of food products and produce.

N. "Grease and oil interceptor" means a device, commonly called a grease trap, which is used to remove greases, oils and sludge from sewage before the sewage is delivered to City sewers.

O. "Household waste" Wastewater derived from ordinary living processes, free from process wastewater and which will permit satisfactory disposal without special treatment into the city wastewater system.

P. "Impervious Surface" means an artificially created hard-surfaced area that either prevents or slows the entry of water into the soil mantel or causes water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions. Impervious surfaces may include, but are not limited to, rooftops, concrete, or asphalt paving, walkways, patios, driveways, parking lots or storage areas, trafficked gravel, and oiled, macadam or surfaces which similarly impede the natural infiltration or runoff of storm water.

Q. "Industrial customer" means any nongovernmental, nonresidential user of a publicly owned treatment works who engages in the preparation, processing, treating, making, compounding, assembling, mixing, improving or storing of any product or any solid, liquid or gaseous material for commercial or industrial processes, or who engages in the cleaning, processing or treating of tanks, vats, drums, cylinders or any other container used in the transportation or storage of any solid, liquid or gaseous material used for commercial or industrial purposes.

R. "Industrial waste" means any water-carried waste other than normal household wastes.

S. "Infiltration" means water other than wastewater that enters a sewer system, excluding sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections or manholes. Infiltration does not include, and is distinguished from, inflow.

T. "Inflow" means waste other than wastewater that enters a sewer system, including sewer service connections, from sources such as, but not limited to, roof drains, cellar drains, yard drains, drains from springs and swampy areas, manhole covers, cross connections between storm and sanitary sewers, catch basins, cooling towers, surface runoff or street drainage. Inflow does not include, and is distinguished from, infiltration.

U. "Operation and maintenance" means activities required to assure the dependable and economical function of treatment works.

V. "Operation" means control of the unit process and equipment which make up the treatment works. This includes financial and personnel management, records, laboratory control, process control, safety and emergency operation planning.

W. "Maintenance" means preservation of functional integrity and efficiency of equipment and structures. This includes preventive maintenance, corrective maintenance and replacement of equipment as needed.

X. "Person" Any individual, partnership, co-partnership, firm, company, corporation, unincorporated association, joint stock company, trust, estate, governmental entity or other entity; their legal representatives, agents or assigns.

Y. "pH" means the logarithm (base 10) of the reciprocal to the hydrogen ion concentration expressed in moles per liter, as set forth in Standard Methods.

Z. "Preliminary treatment" or "Pretreatment" or "treatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into the municipal wastewater system. This reduction or alteration may be obtained by physical, chemical, or biochemical processes, by process changes or by other means.

AA. "Public sewer" means a sewer that is available for public use and is controlled by public authority or shall mean a sewer provided by or subject to the jurisdiction of the City. It shall also include sewers within or outside the City boundaries that serve one or more person and ultimately discharge into the City sanitary sewer system.

BB. "Replacement" means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

CC. "Residential" means property zoned for, and/or having buildings thereon composed of, dwellings only.

DD. "Sanitary sewer" means a conduit intended to carry liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

EE. "School" means an institution with large play areas or recreations and sport facilities, which provides state mandated basic education or higher learning that offer courses of general or specialized study leading to a degree with large play areas or recreations and sport facilities.

FF. "Service lateral" means any sewer pipe between the main sewer line of the City and the property line of the customer. Service laterals exist only on public property or public rights-of-way.

GG. "Sewage" means water-carried human, household, commercial or industrial wastes, together with such ground, surface and storm waters as may be present.

HH. "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

II. "Standard methods" means the examination and analytical procedures set forth in the most recent edition of Standard Methods for the Examination of Water, Sewage, and Industrial Wastes, published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

JJ. "Storm sewer" means a sewer which carries storm and surface waters and drainage but excludes sewage and polluted wastes, as designated by the City Engineer.

KK. "Suspended solids" means solids that either float on the surface of, or are in suspension in, water sewage, commercial or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made as set forth in Standard Methods.

LL. "Treatment works" means all facilities to include collector sewers, sewage treatment plant and appurtenances to be used for collection, conveying and ultimate disposal of residues resulting from City, commercial and industrial liquid and water-carried wastes.

MM. "Useful life" means the period during which a treatment works is planned and designed to be operated.

NN. "User charge" means a charge levied on users of a treatment works for the user's proportionate share of the cost of operation and maintenance and replacement of such works.

OO. "Wastewater" means liquid and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the publicly owned sewer or sanitary sewer system.

13.08.020 Purpose and Policy.

The City declares its intention to acquire, own, construct, equip, operate and maintain inside and outside the City limits sewage treatment plant or plants, sewers, equipment or appurtenances necessary, useful or convenient for a complete sewer system and treatment plant, including maintenance and extension of the present sewer system. All users of the water or sewer system, or both either inside or outside the City limits, and all users of the sewer system outside the City limits, shall pay just and equitable charges for service, as hereinafter stated.

13.08.030 General Requirements.

A. No person shall deposit or permit to be deposited in an unsanitary manner upon public or private property within the City any human excretion, garbage or other objectionable waste which causes pollution of the surrounding ground, surfaces, air or waterways.

B. No person shall discharge to any natural waterway within the City any sewage, industrial waste or other polluted water or wastes except where suitable treatment has been provided in accordance with the provisions of this chapter.

C. Private sewage disposal system may not be installed or used within the City without written permission of the City Engineer. Private sewage disposal systems shall be operated and maintained in a sanitary manner at all times at no expense to the City.

13.08.040 Application and Conditions of Service.

A. Each prospective customer shall make a written application for sewer service. The application shall be signed by the applicant, provide the date of the application, state the location of the premises for which service is requested, the address to which bills are to be sent, information adequate to determine which rate shall apply and such other information as may reasonably be required by the City.

B. Service to sewer users shall be subject to the applicable rules, regulations and rates applicable in effect at the time service is accepted and as adopted or modified by the Council, the City Manager, or the City Manager's designee. Service to individuals or groups may be discontinued for failure of a customer to comply with the provisions of this chapter and related rules, regulations and administrative policy.

13.08.050 Reserved.

13.08.060 Wastewater Rates.

There shall be imposed upon all owners of property or users of the public sewer system just and equitable use charges and rates necessary to acquire, own, construct, equip, operate and maintain within and without the City limits, sewage treatment plants, sewer mains, equipment and appurtenances necessary, useful or convenient for a complete sewerage system and also including the reconstruction as may be necessary or deemed proper by the City Council. Rates are broken into two components: 1) system user fee and 2) capital improvement fee. The system user fee component covers the operation and maintenance of sewage collection and treatment systems and will be based on strength of wastewater discharged. The capital improvement fee component is designated for replacement or improvement projects for the system and paying any debt incurred in funding the replacement and improvement projects.

A. Rates for customers inside and outside of the City limits for the City's wastewater system shall be as established in the Fee Schedule.

B. The City Council shall have the authority to establish special rates by resolution as needed.

C. Assisted Rates. A low-income person who is either, aged sixty-five or older or a totally disabled person as recognized by the Social Security Administration, may apply to receive assisted rates as established in the Fee Schedule. Applicants must also meet the poverty level guidelines as published in the Federal Register for the current calendar year. Proof of income must be provided for each household member, and eligibility is based on total household income. The application shall be submitted to the City Manager of his designee for qualification determination.

D. All customers served by City sewer and City water who have an additional source of water which is introduced into the sanitary sewer system shall be subject to additional sewer service charges as determined by the City Engineer. Such charges shall be based on actual flow entering the sewer system as measured by water meters on all sources or by a sewer flow meter. Sewage flow meters shall be considered part of preliminary treatment facilities, and as such shall be subject to the provisions of Chapter 13.08.220.

E. Sewer Charges on Water Leaks.

1. In the event the City can verify that no leaking water discharged into the City's sewer system, monthly sewer charges for customers served by both City water and sewer service may receive a sewer rate charge adjustment in the event of a water leak, if approved, pursuant to Section 13.04.160.

2. The adjustment will be calculated by computing the bill of the last full cycle of the leak, subtracting the calculated consumption amount billed for the same cycle of the previous year, at the current rate, and crediting one hundred percent of the difference on the next bill of the customer. When there is no consumption history on the account, one year prior, the adjustment will be based on six thousand gallons of usage.

13.08.070 Storm Drainage Rates. All developed premises within the City limits that receive City services (water, wastewater, or both) and which have impervious surface shall have imposed upon them a just and equitable charge for storm sewer drainage service for operation, maintenance, and improvement of the City's storm sewer drainage system. The monthly storm sewer drainage rate is calculated on the area of impervious surface expressed as an Equivalent Service Unit or ESU multiplied by the rate set forth in the Fee Schedule. Rates are broken into two components: 1) system user fee and 2) capital improvement fees. The system user fee component covers the operation and maintenance of the storm drainage system. The capital improvement fee component is designated for replacement and/or improvement projects for the system and paying any debt occurred in funding the replacement and improvement projects.

A. Rates for customers inside of the City limits for the City's storm drainage system shall be as established in the Fee Schedule.

B. The City Council shall have the authority to establish special rates as needed.

C. The imposed fee shall be collected with the monthly sewer or water bill. The customer of the developed premises may avoid incurring the storm sewer drainage charge by removing all impervious surfaces from any improved premises, or the storm sewer drainage rate may be reduced for improved premises where approved runoff reduction measures have been taken. Analysis of runoff control measures shall be made by the City Engineer and shall be evaluated on a case-by-case basis.

D. Only one storm sewer drainage fee shall apply to developed premises.

13.08.075 Sewer Only Accounts. .
All "sewer only" accounts will be opened by and remain in the name of the property owner. The property owner will be responsible to keep all "sewer only" accounts current. The City Council shall set rates for "sewer only" account in the Fee Schedule.

13.08.080 Payment of Bills.

A. Charges for water, sewer, and storm drainage service shall be shown on the same bill, and all charges are due and payable monthly at the finance department on the tenth day of the month.

B. All financial and account transactions must be made with the finance department. If the account is delinquent more than thirty calendar days, service may be discontinued, as provided in this Chapter and also in Section 13.04.070. No City employee other than an authorized finance department employee at City Hall shall accept payment in any form for water or sewer service, nor are they allowed to make any arrangements for delayed payment.

C. The City may refuse payment by personal check for payment of any service, charges, or fees billed if during any six-month period two or more payments by a personal check have been returned for lack of sufficient funds or any other reason. The customer will be notified in writing of the decision to not accept personal checks.

13.08.090 Application for New or Altered Connection, Permit and Inspection.

A. Applications for the installation or alteration of a service connection to the City sewer system will be available at and must be returned to Public Works & Development Department in City Hall. The Applicant must state fully and truly all information required by the City, and shall supplement this application with any plans, specifications or other information as required by the City Engineer. If the City approves the application, if there are no connection allocation restrictions in effect, and if the fee or fees are paid as herein provided, the City shall issue a sewer connection permit. The City Council shall establish by resolution fees for services and/or permits related to the construction, expansion, modification and use of the City's sewer system which fees shall become part of the Fee Schedule.

B. At the same time such application is made, the applicant shall pay an inspection fee as determined by the Fee Schedule. No portion of the sewer installation shall be covered until the City Engineer or his

representative inspects the work for compliance with City and state specifications. No inspection shall be made unless the workplace complies with state and federal safety regulations.

13.08.100 Connection Fees.

Sewer connection fees shall be determined as specified by Chapter 15.16, set in the Fee Schedule, and are payable prior to connection to the City's sewer system and shall be in addition to all other fees, charges, and costs of connection to the City's sewer system.

13.08.110 Installation.

A. All work including, but not limited to, excavation, piping, backfilling, compaction, repaving and other work incidental to a complete sewer installation up to and including tapping the nearest adequate public sewer mains, shall be at the expense of the customer or prospective customer. The customer or prospective customer shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation. All work and material shall be according to City specifications. Cleanouts shall be required adjacent to public property or right-of-way, and lateral sizes shall be determined by state and City requirements, whichever is larger. Old sewers may be used in connection with new buildings only when they are found, upon examination and test, to meet all requirements of this chapter and City specifications. Such examination and test shall be paid for by the customer or prospective customer.

B. Pipe trenches within the traveled portion of public right-of-way shall be backfilled in the following manner, except as otherwise approved by the City Engineer: Trenches under asphaltic concrete pavements, portland cement concrete pavements or existing graveled surfaces shall be backfilled with sand or pea gravel to a depth of six inches above the top of the pipe, followed by clean one-and-one-half-inch minus crushed rock up to six inches below the finished surface in graveled surfaced areas and six inches below the underneath surface of asphalt and portland cement concrete pavements. The remaining six inches shall be three-fourths-inch minus crushed rock.

C. Applicants shall be responsible for all construction costs to make their sewer connection. This shall include all requirements to meet City specifications and shall include surface replacement.

13.08.120 Cleanouts.

It is the customer's responsibility to install a means for the City to clean and inspect the customer's public service lateral located between the property line and the main sewer line. The City shall not attempt to clean, inspect or repair a public service lateral until a sewer cleanout is in place adjacent to the property or right-of-way line where the customer's lateral enters the public service lateral. Such cleanouts shall be installed to City specifications by the customer at his expense. It is the customer's responsibility to maintain such cleanout so that its use is readily available by the City.

13.08.124 Backflow Prevention.

A. Backwater Valves. Sanitary sewer piping serving fixtures which have flood level rims located below the elevation of the next upstream manhole cover of the public or private sewer serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures with flood levels above such elevation shall not discharge through the backwater valve.

B. Pressure Systems. Sanitary sewer piping serving fixtures that are located below the crown level of the main sewer shall discharge into an approved watertight sump or receiving tank, so located as to receive the sewage by gravity. From such sump or receiving tank, the sewage shall be lifted and discharged into the building sewer by an approved ejector, pump, or other equally efficient, approved mechanical device.

C. Effective Date. Although backflow protection is recommended for all properties subject to flooding from backflow of sewage, the provisions of this chapter shall be enforced only on properties for which permits are issued following October 25, 1997, the effective date of the ordinance codified in this chapter or to improvements constructed without a permit.

13.08.126 Curtailment of Sewer Service.
Sewer service may be periodically and temporarily curtailed for maintenance, repair or other necessary purposes, and the City will not be responsible for any consequent damages resulting from such curtailment. Whenever practical, the City shall give reasonable notice before sewer service is curtailed from the City main lines. No modifications in sewer charges shall be made for any time that the sewer service is curtailed.

13.08.130 Open Toilets, Septic Tanks and Cesspools.
It is unlawful for the owner or occupant of any premises to construct, maintain or use any open toilet, privy or cesspool thereon. All septic tanks, open toilets and cesspools when no longer used shall be emptied and filled with clean sand or gravel. It is unlawful to make alterations or repairs to, or to install new septic tanks on any premises located within the City limits unless granted special permission by the City Engineer. No septic tank or cesspool shall be permitted to discharge directly to any public sewer, natural surface or waterway. (Ord. 2548 §14, 1985)

13.08.140 Septic tank wastes.
No dumping of septic tank wastes or other septage shall be permitted at any manholes or other openings in any of the City's systems. Dumping of less than 100 gallons of wastes or other septage may be accepted at the treatment plant at the City's sole discretion. Dumping charges will apply as set in the Fee Schedule.

13.08.150 Certain Waste Prohibited in All Sanitary Sewer and Storm Drainage Systems.
It is unlawful for any person, directly or indirectly using public sewer and storm drainage facilities inside the City or under City control, to discharge or cause to be discharged into any pipe, main, conduit, manhole, street inlet, gutter, catch basin or aperture of the public sewer or storm drainage systems, any of the following:

A. Any gasoline, benzene, naphtha, alcohols, fuel oil, diesel oil, mineral oil, motor oil or other flammable or explosive liquid, solid or gas except in emergency when directed to do so by the City Engineer or his acting representative;

B. Any solid or viscous substance capable of obstructing sewage flow or of interfering with the operation of the sewerage works or treatment facilities. These substances include, but are not limited to, ashes, cinders, sand, mud, gravel, straw, insoluble shavings, metal, glass, rags, feathers, tar, creosote, plastics and plastic products, wood, offal from slaughter houses, lard, tallow, baking dough, chemical residues, cannery waste bulk solids, diapers, plastic or paper dishes, cups, towels, food or beverage containers, whether whole or ground;

C. Any noxious or malodorous gas or substance when either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or preventing entry into a sewer, manhole or pump station;

D. Any radioactive wastes, except upon permit issued by the Oregon State Board of Health and approved by the City Engineer, and which, in the determination of the City Engineer, will not be hazardous to structures, equipment or personnel working on sewage treatment or sewer repair, or to receiving waters;

E. Any material from a cesspool or septic tank;

F. Any substance which will form deposits or obstructions in the sewerage and storm drainage systems, or which when mixed with sewage will precipitate materials causing deposits or obstructions in sewer lines or any part of the sewerage and storm drainage systems;

G. Any pesticides, herbicides, organic solvent or hydrocarbons;

H. Any toxic, corrosive or poisonous substances, chemical elements, or compounds containing heavy metals in quantities sufficient to impair the operation or efficiency of the sewage treatment facilities or which render sludge unfit for fertilizer, or that will pass through the sewage treatment plant or sewerage system and cause the effluent thereof to violate state water standards for the receiving stream;

I. Any water or wastes containing suspended solids of such character or quantity that unusual attention or expense is required to handle such materials in any sewer, pump, sewage treatment plant or other part of the sewerage system;

J. Any material which exerts or causes excessive discoloration such as, but not limited to, dye wastes or vegetable tanning solutions;

K. Any unusual concentrations of dissolved solids such as, but not limited to, sodium chloride, calcium chloride and sodium sulfate.

L. Any liquid, vapor, gas or solid having a temperature higher than one hundred fifty degrees Fahrenheit;

M. Any water or waste which contains in excess of two hundred milligrams per liter or a lesser amount as fixed by the City Engineer for a particular establishment, of fat waste, oil or grease, whether or not emulsified, ether-soluble or n-hexane soluble matter or any substance which may solidify or become discernibly viscous at temperatures above thirty-two degrees Fahrenheit;

N. Any soluble waste or waste waters having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property which reasonably could be hazardous to structures, equipment or personnel of the City such as, but not limited to, battery or platting acids and wastes, copper sulfate, chromium salts and compounds, or salt brine;

O. Any water or wastes having a five day twenty degree centigrade biochemical oxygen demand of more than four hundred milligrams per liter (mg/l) or an immediate oxygen demand of more than two hundred mg/l, without written authority from the City Engineer;

P. Any water or wastes having a suspended solids content of more than four hundred mg/l;

Q. Any water or wastes having a chlorine demand of more than twenty mg/l.

R, Bulk, expired, outdated, concentrated, or unused prescription or non-prescription drugs.

S. Any water or wastes potentially contaminated with (1) transmissible spongiform encephalopathy agents from diseases such as chronic wasting disease, bovine spongiform encephalopathy, scrapie, Creutzfeldt-Jakob disease, (2) foot-and mouth disease agents, or (3) anthrax, except by written permission of the City.

13.08.160 Certain Wastes Prohibited in Sanitary Sewers.

It is unlawful for any person, directly or indirectly using public sewer facilities inside the City or under City control, to discharge or cause to be discharged into any pipe, main, conduit, manhole, or aperture of the public sanitary sewer system or combined sewer system without written permission of the City Engineer and pretreatment if so required, any of the following:

A. Any garbage that has not been properly comminuted to one-quarter inch or less in any dimension, or industrial wastes that will not fit through an approved 20 mesh screen;

B. Any water or wastes containing substances in such concentration that they 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 any other agency having jurisdiction over discharge to the receiving waters such as, but not limited to, phosphorus;

C. Any water or wastes having a maximum instantaneous rate of flow exceeding ten percent of the capacity of the available lateral or appropriate trunk sewer;

D. Any water or wastes having an average daily flow greater than two percent of the average daily sewage flow of the City during summer months;

E. Any water or wastes having characteristics or constituents exceeding the maximums fixed elsewhere in this chapter;

F. Storm water;

G. Surface water;

H. Ground water;

I. Roof runoff;

J. Parking area runoff;

K. Unpolluted industrial process water, such as, but not limited to, cooling water and steam condensation;

L. Any material stored in underground or above ground storage containers that is prohibited in all sewers, as specified in Chapter 13.08.150. When requested by the City Engineer, because of probable storage container leakage, a customer shall cooperate with the City in determining the source and preventing further prohibited material from leaking and entering the sewer system. Such cooperation shall include but not be limited to storage container inspection, appropriate storage container testing, and provision of subsurface sampling wells, providing the City with prohibited material storage and consumption records and performing corrective action to prevent further prohibited material from entering the sewer system. If the customer fails to fully cooperate in preventing further prohibited material from entering the sewer system, the City Engineer may have the water service to the premises shut off and/or the sewer service summarily terminated until full cooperation is achieved. (Ord. 2548 §17, 1985)

13.08.170 Certain Wastes Allowed in Storm Sewers.
Only the following wastes shall be discharged to the storm sewer system:

A. Storm water;

B. Surface water;

C. Ground water;

D. Roof runoff;

E. Parking area runoff;

F. Unpolluted industrial process water, with written permission of the City Engineer only.

13.08.180 Elimination of combined sewers.
It is the express intent and policy of the City to eliminate combined sewer flows. To this end, storm, surface and ground water, roof and parking area runoff, and unpolluted industrial process water shall not be allowed to enter a combined sewer.

13.08.190 Grease and Oil Interceptor.
All restaurants, meat markets, butcher shops, service stations and/or wash racks of any kind shall be equipped with suitable grease and oil interceptors (grease traps), approved by the City before installation and operation, and maintained at the expense of the occupant of the property. All grease traps shall be maintained to prevent grease, oil or sludge from entering the public sanitary or combined sewer systems in excess of the limits imposed in Sections 13.08.150 and 13.08.160. If the City Engineer finds that the operator of any such establishment fails to maintain his grease trap or traps in effective operation, the City Engineer may have the water service to the premises shut off and/or

the sewer service summarily terminated until the facility is put back into effective operation. Inspection fees will be established by the Fee Schedule.

13.08.200 Garbage Grinders.
The use of in-line garbage grinders or shredders, other than for household use, shall not be permitted by any customer.

13.08.210 Preliminary Treatment.
If any water or wastes, industrial or otherwise, are discharged to a public sanitary or combined sewer system, and such water and wastes exceed the limits set in Sections 13.08.150 and 13.08.160, and which, in the judgment of the City Engineer, may have a deleterious effect upon the sewer works, processes, equipment or receiving waters or which otherwise create a hazard to life or create malodors, the City Engineer may (1) reject the water or wastes; or (2) require the preliminary treatment to an acceptable condition before discharge to the public sanitary or combined sewer system. If it is necessary to require preliminary treatment, the City Engineer may require any or all of the following:

A. Reduction of the five day twenty degree centigrade biochemical oxygen demand to less than four hundred mg/l and the immediate biochemical oxygen demand to less than two hundred mg/l;

B. Reduction of the suspended solids content to less than four hundred mg/l;

C. Reduction of the chlorine demand to less than twenty mg/l;

D. Regulation of the quantities and/or rates of discharge;

E. Payment to cover the added cost of handling and treating the water and wastes, if the commercial or industrial occupancy requests such arrangement in lieu of preliminary treatment or to reduce the extent of the preliminary treatment, and the City Engineer finds that City treatment is feasible.

F. Require discharge to meet any other adopted Public Works standards.

The Public Works & Development Director may adopt additional rules and regulations as needed to implement this pre-treatment program.

13.08.220 Preliminary Treatment Facilities.

A. Plans, specifications and other information relating to construction or installation of preliminary treatment facilities required by the City Engineer under this chapter shall be submitted to the City Engineer and to the Oregon State Department of Environmental Quality as required by the laws of the state. No construction, installation or modification of preliminary treatment facilities shall begin until written approval of plans and specifications by the City Engineer. No person, by virtue of such approval, shall be relieved of compliance with other laws of the City and of the state relating to construction and to permits.

Every facility for the preliminary treatment or handling of water and wastes shall be constructed in accordance with the approved plans and specifications, and shall be installed and maintained at the expense of the occupant of the property discharging the water and wastes.

B. When the occupant of any property is required by the City Engineer to install preliminary treatment facilities, he shall not let any water and wastes enter the public sewer system until such preliminary treatment facilities are built and in operation, without prior written consent of the City Engineer. If the occupant of any property allows water and wastes to enter the sewer system before such preliminary treatment facilities are built and in operation, without prior written consent of the City Engineer, the City may turn off water service to the occupant, and sewer service to the premises may be summarily terminated.

C. Every facility for preliminary treatment or handling of water and wastes shall be subject to inspection by the City Engineer or his representative, who shall determine whether or not such facility is being maintained in effective operation.

D. Notwithstanding installation and operation of a preliminary treatment facility, no person shall discharge or permit the discharge into a public sewer of any water or waste prohibited by this chapter.

E. If the City Engineer finds that the occupant of property who controls a preliminary treatment facility fails to maintain such facility in effective operation, he may have the City shut off water service to the premises and/or summarily terminate sewer service to the premises until the facility is put back into effective operation. Any person constructing a preliminary treatment facility shall also install and maintain at his own expense a sampling manhole for checking and investigating the discharge from the preliminary treatment facility to the public sewer. The sampling manhole shall be placed in a location designated by the City Engineer, in accordance with specifications approved by the City Engineer, and shall be accessible for the City Engineer at all times.

F. Where continuous testing is deemed necessary by the City Engineer, the occupant of property who controls a preliminary treatment facility shall supply testing equipment, utilities to serve such equipment and structure to protect such equipment, all at the occupant's expense.

13.08.230 Right of Entry and Inspection.

The City Public Works and Development employees shall have free and lawful access at reasonable hours of the day to all parts of buildings and premises for the purpose of inspecting, testing, sampling, measuring or observing the conditions of the sewer pipes and fixtures, preliminary treatment facilities, grease traps and water and wastes being disposed. The City Public Works & Development employees shall have free access at all hours of the day or night to any sampling manhole or similar sampling facility.

13.08.240 Testing.

All measurements, tests and analyses of the characteristics of waters and wastes referred to in this chapter shall be determined according to the 2017 23rd edition of Specifications of Standard Methods for the Examination of Water and Wastewater. The occupant of any premises being treated shall bear the costs of all tests. Such costs will be added to the monthly sewer bill where practicable.

13.08.250 Flow Measurement and Sampling Facilities.

A person discharging wastes into the city wastewater system with a daily total in excess of 750 pounds or more of either BOD or suspended solids shall, at the option of the City Engineer, be required within six months after notification, to construct and maintain approved automatic flow measurements, sampling, and sample storage facilities for all waste entering the wastewater system. These facilities shall, when required by the City Engineer, be used to obtain flow, BOD, FOG and suspended solids data for use as a basis for industrial wastewater service charges.

13.08.260 Measurement and Sampling Devices.

A. All automatic flow measurement and sampling devices, access facilities, and related equipment shall be installed by the person discharging the waste, at his/her expense, and shall be maintained in safe operating condition at all times, and readily accessible to the City Engineer at any reasonable time.

B. The flow measurement device can be any type of device providing accurate and continuous flow indication and approved by the City Engineer. Pump timers or other indirect measurement devices will not be acceptable.

C. The flow measurement device shall be suitable for indicating and totaling the flow through the device provided above with an error not exceeding plus or minus five percent. The instrument may be equipped with a set of electrical contacts arranged to momentarily close a circuit to energize a process timer and sampling device for every fixed quantity of flow. Other control variations will be acceptable if it can be demonstrated that the sampling procedure will result in a waste sample which is proportional to and representative of the waste flow. The length of operation of the sampling device shall be dependent on the type of sampling arrangement used, but in no case shall the daily collected sample be less than two quarts in volume.

D. The method of sampling used can be by any means approved by the City Engineer. All samples must be continuously refrigerated at a temperature of 30 degrees F, plus or minus five degrees.

E. The flow measurement and sampling station shall be located and constructed in a manner acceptable to the City Engineer. Complete plans on all phases of the proposed installation, including all equipment proposed for use, shall be submitted to the City Engineer for approval prior to construction.

F. Any person discharging waste shall keep flow records as required by the City Engineer and shall provide qualified personnel to properly maintain and operate the facilities.

G. The waste samples will be collected and tests performed by the City Engineer.

13.08.270 Damage.

A. No person shall damage, injure, or in any manner interfere with or remove any pipes, pumps, samplers, appurtenances, facilities or other property belonging to the City or used in connection with the City sewer system.

B. Any person violating provisions of this chapter shall be charged for all actual costs associated with repairing the results of such injury or interference, plus whatever penalties may be adjudged under the provisions of Chapter 13.08.260.

C. ny person who inadvertently damages property belonging to the City or used in connection with the City sewer system shall be charged for all actual costs associated with repairing such damage, including, but not limited to, labor, materials and overhead.

13.08.280 Penalties.

Any person violating any of the provisions of this chapter, other than those relating to payment or nonpayment of rates or charges, upon conviction, shall be penalized by a fine of not more than five hundred dollars per violation. In the case of a continuing violation, every day's continuance of the violation is a separate violation. At the City's option, any customer violating the provisions of this chapter may also be subject to discontinuance of City water, as provided in Section 13.04.070, until the violation is remedied and associated fines paid.

13.08.290 Appeals.

A. Appeal to City Manager. Any person aggrieved by any decision or action of the City, except those determinations made by court decision, may file a written request with the City Manager for reconsideration thereof within ten days of notification of such decision or action. The notice of appeal shall set forth in reasonable detail the decision or action appealed from and the facts and arguments supporting the appellant's request for reconsideration. The City Manager may establish such procedures as may be deemed necessary or proper to conduct the reconsideration process.

B. Appeal to City Council. Any person aggrieved by the final determination of the City Manager may appeal such determination to the City Council within ten days of notification by the City Manager of the final determination.

13.08.300 Party responsible for charges.

The user of the sewer system shall be responsible for the sewer charges authorized by this chapter as they may be changed from time to time by resolution of the City Council, however, the property owner of record as maintained by the Lane County Recorder's Office shall be responsible for the payment of sewer charges for services rendered by the City when the user, if different than the owner of record, is delinquent in the payment of sewer charges. Where the user has a delinquent bill for one premises, the delinquency shall be charged against the user for the sewer services obtained at any other premises in the City.

13.08.310 Tampering.

A. No person shall tamper with, alter, or injure any part of the city sewer collection system, pumping lift stations reservoir system, pumping plant, distribution and disposal system,

B. No unauthorized person shall connect or disconnect from the city sewer service or alter the sewer service line.