

AN ORDINANCE FIXING RATES AND SEWER USERS CHARGES FOR THE USE OF SEWAGE FACILITIES IN THE CITY OF SWEET HOME, PROVIDING FOR THE COLLECTION OF CHARGES AND DISPOSITION OF MONEY COLLECTED; PROHIBITING DAMAGE TO THE CITY SEWAGE SYSTEM; REPEALING ORDINANCES NO. 141, No. 153 AND NO. 204; PROVIDING PENALTIES, AND DECLARING AN EMERGENCY.

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. RESIDENTIAL RATES. The monthly rate or charge for the use of sewage facilities of Sweet Home shall be twenty-five (25) cents per month per fixture outlet attached to the sanitary sewer system in structures or buildings classified as follows:

- family dwelling units
- churches
- multi-family dwelling units

Section 2. COMMERCIAL RATES. The monthly rate or charge for the use of sewage facilities by buildings used for commercial purposes and certain public buildings shall be as provided hereafter:

1. Auto courts, boarding houses, hotels, rooming houses, and lodges:
  - 50¢ per fixture outlet except public wash rooms or toilets which shall be \$1.00 per fixture.
2. Billiard rooms, beer parlors, bowling alleys:
  - 75¢ per fixture
3. Garages and service stations:
  - 50¢ per fixture, except wash racks shall be \$2.50 per fixture.
4. Drug Stores and confectionary stores:
  - 50¢ per fixture, except soda fountains which shall be \$1.00 per fixture.
5. Hospitals and clinics.
  - 50¢ per fixture, except fixtures in operating rooms and dental cuspidors which shall be 75¢ per fixture.
6. Laundries, cleaning establishments, and self-service laundries.
  - \$10.00 per fixture outlet, except self-service laundries which shall be 50¢ per fixture unit.
7. Restaurants:
  - 50¢ per fixture, except kitchen sinks, mechanical dishwashers or fixtures depositing grease shall be \$1.00 per fixture.
8. Schools:
  - Urinals, and toilets shall be 75¢ per fixture; wash basins, sinks, etc. shall be 50¢ per fixture. Fixtures depositing grease shall be \$1.00 per fixture.
9. Slop sinks shall be \$1.00 per fixture.
10. Fixtures not otherwise classified shall be charged upon the basis of the closest similar use.

Section 3. SEWER RATE DETERMINATION. The city manager or his authorized representative shall have the right to inspect any building or structure which is attached to the sewage disposal system for the purpose of determining the number and kind of plumbing fixtures in use. Upon application of a customer to whom a sewer charge is billed, for a reduction in the monthly charge against his premises, due to a decrease in the number or charge in the kind of plumbing fixtures attached to the sewage disposal system, the authorized city official shall inspect the premises and determine the amount of the monthly billing. The monthly billing of sewer charges for active water customers shall be based upon the total number of plumbing fixtures on the premises whether in use or not. To eliminate a plumbing fixture from the monthly billing the customer must competely remove the plumbing fixture and plug the drain opening as directed by the plumbing inspector.]

Section 4. INDUSTRIAL WASTES: Industrial wastes shall not be permitted to be emptied into the sewage facilities of Sweet Home without the consent of the city council. The city council shall prescribe reasonable rates for

industrial wastes consistent with other rates established by this ordinance.

Section 5. SANITATION FUND. Sewer users charges herein provided shall be regularly billed with the city's billing for water service and shall be due and payable on the first day of the month following connection of the property to the sanitary sewer system. Upon failure of the customer to whom the sewer charge is billed to make payment in accordance with the rules and regulations established by the city manager for the payment of monthly water bills, the city manager shall have the right to discontinue water service to said property and the same shall not be resumed until full payment to any delinquency existing in said charge.

All charges collected under the terms and provisions of this ordinance shall be deposited and kept in the Sanitation Fund for the purposes of constructing, reconstructing, or repair of such existing sewer lines as shall be necessary and convenient for a complete sewage disposal system and for the operation and maintenance of the sewage disposal system. The council may from time to time transfer accrued surplus from the Sanitation fund to the General Fund to help defray the general operating costs of government.

Section 6. CONNECTION TO SEWER SYSTEM. After the completion of the construction of sanitary sewer laterals within a sewer improvement district, the council shall publish notice of such completion thereof in the official newspaper of the city. Within 120 days after publication of such notice, all toilets and drains within such sewer improvement district shall be connected with the sanitary sewer system and the use of privies, open drains, cesspools and septic tanks within such district shall be discontinued and all such facilities shall be filled, cleaned, sealed or otherwise disposed of as not to be dangerous to health nor to emit any annoying odors, and all privy houses shall be removed.

Section 7. ABATEMENT OF NUISANCES. All open toilets, privies, open drains, cesspools and septic tanks which are not disposed of in accordance with section 6 of this ordinance are hereby declared to be a public nuisance and subject to the following action by the city:

- (a) The city manager shall cause written notice of the maintenance of such nuisance to be served upon the owner or occupant of said premises, which notice shall require said owner or occupant to abate the same within ten (10) days from the date of service of notice. Upon failure of the owner or occupant of said premises to abate said nuisance, the city manager may order the discontinuance of water service to said property.
- (b) If the nuisance is not abated within 60 days following discontinuance of water service as provided in section 6 (a) of this ordinance the city manager shall have the nuisance abated and the cost thereof shall be charged to the owner or occupant of said premises, and upon his failure to pay, the costs of abatement shall be charged as a lien upon said property.

Section 8. RIGHT OF ENTRY. The city manager or his authorized representative shall have the right to go on the premises of any private property located within the city of Sweet Home for the purpose of investigating the existence of any nuisance herein defined, and for the purpose of abating the same in compliance with the terms hereof.

Section 9. DISCHARGE OF SUBSTANCES. It shall be unlawful to dump or allow to enter into the sewage system of Sweet Home, the following waste products, to-wit:

- (1) Petroleum, coal tar, vegetable and mineral oils and products, and their derivatives and wastes.
- (2) Greases, oils, and sludges from service stations, garages, repair shops, machine shops, cleaning establishments or other industries or establishments.
- (3) Explosives or inflammable liquids and gases.

- (4) Acids, alkalis, or other corrosive liquids, gases or substances of sufficient strength to damage sewers, manholes, pumping stations, or treatment plant units.
- (5) Paints or waste products from paint manufactures.
- (6) Substances which will form deposits or obstructions in sewers, or which when mixed with sewage will precipitate materials and thus form deposits in sewers.
- (7) Ashes, cinders, sand, earth, coal, rubbish, or metals of any kind.
- (8) Live steam, exhaust steam, or water having a temperature above 140° Fahrenheit.
- (9) Ground or unground fruit peelings and cores, meat or bones from canneries, packing plants, or meat plants.
- (10) Cull fruits and vegetables.
- (11) Paunch, stable, and barn manure.
- (12) Offal from slaughter houses.
- (13) Dead animals or parts thereof.

Section 10. ROOT SYSTEMS. It shall be unlawful to permit the growth of hydrotrophic species of trees such as members of the populus and salix genera which have root systems that tend to be attracted to and enter into the city's sewer system, within 25 feet of any public sewer. Trees located farther than 25 feet from a city sewer lateral shall be removed if it is determined that the root system may interfere with a public sewer.

Section 11. PENALTY. Any person violating any of the provisions of this ordinance shall upon conviction thereof in the municipal court, be punished by a fine of not exceeding \$100.00 and, or a jail sentence of not exceeding 10 days, or both at the discretion of the municipal court. In the event a nuisance shall be maintained after notice is given to abate the same as herein provided, each day said nuisance shall be maintained shall be considered a separate offense.

Section 12. REPEAL OF CONFLICTING ORDINANCES. Ordinance No. 141, and 204, and Order No. 153 and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 13. SAVING CLAUSE. If any section, subsection, provision, clause or paragraph of this ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining provisions of this ordinance.

Section 14. EMERGENCY CLAUSE: It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the mayor.

PASSED by the council and approved by the mayor this 25th day of April, 1961.

ATTEST:

*Robert G. White*

City Manager

*William F. Ramsey*  
Mayor