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Board of Directors

Position 1 – Mike Griffith
Position 2 – James L. Hainline
Position 3 - Leonard D. Harrington

General Manager/Secretary

Michael Fritschi

ORDINANCE NO. 47 - SEWER DISCONNECTION AND RECONNECTION POLICY

South Suburban Sanitary District

WHEREAS, South Suburban Sanitary District (hereinafter “the District”) maintains the public sewer collection system for the public benefit, and,

WHEREAS, the Board of Directors (hereinafter “the Board”) of the District desires to provide reasonable accommodation to those property owners that desire to discontinue sewer service, and

WHEREAS, the Board desires to establish this Ordinance No. 47 to establish a sewer disconnection and reconnection policy that fairly distributes the monetary burden of the public sewer infrastructure evenly to all ratepayers, and

WHEREAS, this Ordinance repeals Ordinance #39 in its entirety, Resolution #69, and, Article I, Section 8 of Ordinance #49.

NOW, THEREFORE, it is hereby adopted as follows:

ARTICLE I

DEFINITIONS

Section 1

The following words and phrases are for the purpose of this Ordinance and for the purposes of any disconnection or reconnection of sewer services, any fees, rates, liens, penalties, or adjustments associated with, as authorized by this Ordinance shall have the following meanings as set out below:

1. Cleanout. That appurtenance that allows for the access of a service lateral for cleaning and inspection.

2. Disconnection. A physical disconnection of a private lateral from the public sewer system, such that no sewage can be conveyed from the property to the public sewer system.
3. Disconnection Period. That time in which a private service lateral remains physically disconnected from the public sewer system.
4. Disconnection Program. A program by which a property owner may disconnect their sewer service from the public sewer system.
5. Inflow. That contribution of water drainage from yard drains, roof drains, basement sump pumps, and all other illicit storm water connections that either directly or indirectly cause storm water or high ground water to enter the public sewer system.
6. Permanent Disconnection. When a property owner has not enrolled in the Disconnection Program and opts to permanently disconnect their sewer service.
7. Private Service Lateral. That portion of the service lateral that is located on private property and is the responsibility of the Owner to maintain. The private service lateral extends from the boundary of the right of way to the private sanitary drain plumbing of the structure being served by the public sewer.
8. Property Owner. The fee title holder to the real property being served by the public sewer system.
9. Public Service Lateral. That portion of the service lateral that is located within the (utility) right of way and is the responsibility of the District to maintain. The public service lateral extends from the boundary of the right of way to the public sewer main.
10. Reconnection. The act of restoring a connection from a private service lateral, such that sewage can be conveyed to the public sewer system.
11. System Development Charge (SDC fee). A fee collected by the District to establish capacity of the sewer customer when connecting to the public sewer.
12. System Reconnection Charge (SRC fee). A fee that is paid by the Owner enrolled in the Sewer Disconnection Program, when re-connecting to the public sewer system.

ARTICLE II

SEWER DISCONNECTION

Section 1

1. Upon written request from the property owner, connection to the public sewer may be terminated at any time by using the Sewer Disconnection Program or by providing a Permanent Disconnection.
2. The District shall assume no liability for any health code violations related to the termination of a private sewer connection.
3. No sewer use fees will be charged to the owner of the property during the extent of the disconnection period.
4. Property owners that elect to use the District Sewer Disconnection Program shall be considered officially disconnected at the beginning of the following month after all items of Article II, Section 2 of this Ordinance are completed. Regular sewer use fees shall desist on the first day following the official disconnection date. No full or pro-rated rebates or refunds will be rendered for prior payments received at the beginning of the fiscal year or quarter.
5. Property owners that elect to permanently disconnect from the public sewer shall be considered permanently disconnected at the beginning of the following month after all items of Article II, Section 3 of this Ordinance are completed. Regular sewer use fees shall desist on the first day following the official disconnection date. No full or pro-rated rebates or refunds will be rendered for prior payments received at the beginning of the fiscal year or quarter.

Section 2-Disconnection of Properties through the Sewer Disconnection Program

The following must be accomplished prior to the service being officially disconnected using the Sewer Disconnection Program:

1. The property owner must fill out a **Disconnection of Service Form** as provided by the District and pay a disconnection fee at the current rate designated by the District.

2. The property owner must be current on all past sewer fees charged to the property with the exception of fees from property tax certification of unpaid sewer fees.
3. A determination of whether the intended lateral is shared by another service shall be made by the District. If a lateral is shared with another service, the intended lateral cannot be disconnected from the sewer system unless the other service(s) would continue to maintain a connection to the District sewer main after disconnection of the intended lateral.
4. A sewer disconnection valve consisting of a disconnection body, sewer disconnect valve plunger, and riser shall be provided by the District. The installation of the disconnection valve body and riser shall be the responsibility of the property owner. The valve body shall be installed at the location of the boundary of the right of way.
5. The installation of the sewer disconnection valve and riser shall be inspected by the District for proper installation. The installation shall conform to the current District Design Standards.
6. A lockable clean-out cap shall be provided and installed by the District.

Section 3- Permanent Disconnection of Properties

1. In order to permanently disconnect from the District sewer system, the property owner must fill out a **Disconnection of Service Form** as provided by the District.
2. The property owner must be current on all past sewer fees charged to the property with the exception of fees from property tax certification of unpaid sewer fees.
3. A determination of whether the intended lateral is shared by another service shall be made by the District. If a lateral is shared with another service, the intended lateral cannot be disconnected from the sewer system unless the other service(s) would continue to maintain a connection to the District sewer main after disconnection of the intended lateral.

4. The property owner is responsible for the installation of a suitable sewer cap per District Design Standards. The cap shall be placed at or no more than 5-ft past the location of the boundary of the right of way on the owner's property. Inspection of the installed sewer cap shall be performed by a District representative prior to back fill.

Section 4

1. Individual multi-family residential units or duplexes where more than one residence is located on the same property may not be *individually* disconnected.
2. The entire service of the multi-family complex or duplex may be disconnected per Article II of this Ordinance.

Section 5

1. Individual spaces located in mobile home parks, recreational trailer parks, and dump stations may not be *individually* disconnected.
2. Mobile home parks, recreational trailer parks, and dump stations, may disconnect entirely per Article II of this Ordinance.

Section 6

1. Individual office spaces, stores, or business located in the same commercial or non-residential building may not be *individually* disconnected.
2. Entire commercial or non-residential buildings may be disconnected per Article II of this Ordinance.

Section 7

1. The property owner is responsible for any damage, plugging, or public health hazards that occur to or around any District infrastructure caused directly or indirectly by the property owner or by any entity hired by the property owner.

ARTICLE III

DISCONNECTION PERIOD

Section 1

1. During the disconnection period no sewage shall be discharged by the owner of the disconnected service lateral.
2. Any tampering of a locked cleanout, sewer disconnection valve, installation of an illicit connection, or any unauthorized reconnection during the disconnection period shall result in the full back-charge of all sewer fees calculated back to the time of disconnection or a mandatory fine of \$500, whichever is greater. In addition to the back charge or fine, the property owner must immediately reconnect to the public sewer system per Article IV of this Ordinance, and sewer billing shall resume at the current designated rate.

ARTICLE IV

SEWER RECONNECTION

Section 1

1. Upon re-connecting to the public sewer system, the property owner shall notify the District prior to the planned re-connection. In order to establish a re-connection of sewer services, the property owner must adhere to and complete all of the following criteria:
 - a. Notify the District in writing by returning a filled out **Reconnection Form** to the District office at least seven calendar days prior to the planned reconnection

- b. Return a completed **Private Service Lateral Inspection Checklist** as provided by the District. The required inspection shall be performed by the property owner and include all of the following criteria:
 - i. A closed circuit televised (CCTV) inspection of the entire private portion of the service lateral (from the boundary of the right of way to the beginning of the private lateral including that portion of the service lateral extending under the structure) as witnessed by a District representative.
 - ii. A determination of whether the service lateral is shared by another property as witnessed by a representative of the District during the CCTV inspection.
 - iii. A determination if there are any illicit inflow connections from the property as observed by a District representative during the CCTV inspection.
 - iv. A determination of the structural integrity and general condition of the sewer lateral as observed by a District representative during the CCTV inspection.
 - v. Provide proof of items i–iv in the form of a signature on the Private Lateral Inspection Checklist by a District representative.
2. If upon District review, the private lateral inspection results fail to be acceptable in any of the areas outlined in Article IV, section 1, of this Ordinance, or any cracks, breaks, off-sets, sources of inflow and infiltration (I/I), roots or debris evident during the inspection which the District considers substantial, corrections or repairs must be made to the private lateral at the owner’s expense prior to re-connection. A shared lateral shall be separated at the owner’s expense regardless of the location of double connection. Once repairs are made, a re-inspection shall be conducted at the owner’s expense. Upon a successful private sewer inspection, the District shall certify that the service lateral is considered to be in good working order from the date of the inspection to the end of a 5-year period.

3. If the property owner is a participant in the Sewer Disconnection Program, the property owner must pay a Service Reconnection Charge (SRC). A SRC shall accumulate at a monthly rate per the current District fee ordinance. Property owners qualifying for the Sewer Disconnection Program shall be considered “locked in” to the existing monthly SRC rate at the time of the disconnection.
4. If the property has not been enrolled in the Sewer Disconnection Program and previously been permanently disconnected, the property owner must pay a SDC fee at the current rate prior to re-connection.
5. The District will resume sewer billing for the property at the current sewer rate at the time of re-connection. The entire portion of the monthly service fee in which the re-connection is completed shall be billed to the property owner in full at the current sewer rate.
6. Failure to complete the reconnection requirements for a property using the Sewer Disconnection Program or the reconnection requirements for a permanently disconnected property will keep the property in a disconnected status and the property would not be considered habitable. Additionally, the District retains the right to lien if this Ordinance is violated in any way per ORS 454.225.

Section 2

1. Upon sale of property, the status of the disconnection shall be passed to the new owner. If reconnection is desired, the reconnection requirements shall be per Article IV of this ordinance.

ARTICLE V

EXISTING DISCONNECTED SERVICES PRIOR TO THE ADOPTION OF THIS ORDINANCE

Section 1

1. All existing sewer services that have been designated as disconnected prior to the adoption of this ordinance that have been charged a minimum service fee and/or proven disconnection to the potable water system will be allowed to maintain that status and rate per the most recent District fee

ordinance until July 1, 2016 or upon sale of the property, whichever comes first. These property owners shall not be charged a SRC or be subject to the reconnection requirements listed in Article IV of this ordinance when reconnecting to the District sewer.

ARTICLE VI

MISCELLANEOUS

Section 1

All articles, sections, paragraphs, sentences, phrases and words of this ordinance are severable, and if any such article, section, paragraph, sentence, phrase or word is found to be invalid or unconstitutional by judgment or decree of any court or competent jurisdiction, such judgment shall not invalidate any other or remaining article, section, paragraph, sentence, phrase or word of this ordinance. This Ordinance No. 47 shall be in effect 30 days after adoption.

Adopted this April 23rd, 2013.

ATTEST:

Michael Fritschi
Secretary to the Board

Leonard D. Harrington, Chairman

Copies of this Ordinance can be
obtained at the District office
2201 Laverne Ave, Klamath Falls, OR

James L. Hainline, Director

Mike Griffith, Director