

ORDINANCE NO. 109

AN ORDINANCE of the TOWN OF COLLEGE PLACE, WASHINGTON, relating to and regulating the Water and Sewer Department, providing for the management and control thereof, regulating the use of public and private sewers and drains, private sewage disposal, the construction, installation, and maintenance of public and private sewers, and building sewers, the discharge of water and wastes into the public sewer system, regulating the use of domestic water, the construction, installation, and maintenance of service lines from domestic water, establishing charges for sewer and water connections, establishing rates for sewer and water service, providing penalties for violation of this ordinance, establishing liens and providing for the enforcement thereof, and repealing all Ordinances or parts thereof in conflict herewith.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COLLEGE PLACE,
WASHINGTON:

ARTICLE I

Section 1. "Superintendent" shall mean either the Superintendent of the Water or Sewer Department of the Town of College Place, or his authorized deputy, agent, or representative.

Section 2. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, which wastes contain polluted matter subject to treatment at the sewage treatment plant; i.e., sanitary sewage.

Section 3. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 4. "Private Sewer" shall be construed to mean the sewer line and disposal system constructed, installed, or maintained where connection with the public sewer system is not required herein.

Section 5. "Building Sewer" shall mean the extension from the public sewer to the building drainage system.

Section 6. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

Section 7. "Domestic Water" or "Domestic Water System" shall mean that water, and water system in which it is carried, which is for human

consumption and normal household and business or industrial uses provided from the Town's supply.

ARTICLE II

Section 101. A Water and Sewer Department of the Town of College Place is hereby established. The officers and other employees shall consist of a Superintendent for the Water Department, and a second Superintendent for the Sewer Department, and such other personnel as the Council may from time to time deem necessary for the efficient administration of the department.

Section 102. The Superintendent of both the Water and Sewer Departments, and such other personnel as the Town Council may from time to time authorize, shall be appointed by the Mayor, with the consent of the Council, and shall hold such appointment during the pleasure of the Mayor and the Council. The Superintendent and such other personnel as may be authorized shall receive such salary as the Town Council may determine.

Section 103. The duties of the Superintendent shall be to oversee and superintend the operation and maintenance of the sewer system and the domestic water system, the making of repairs of all kinds, the construction of all extensions and additions, and all construction work of whatever nature whatsoever in connection with the present sewer and domestic water systems and any new systems that may be established. The Superintendent shall at all times be subject to the direction and authority of the Mayor.

ARTICLE III

Section 201. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the Town of College Place, or in any area under the jurisdiction of the Town, any human or animal excrement, garbage, or other objectionable waste.

Section 202. It shall be unlawful to discharge to any natural outlet within the Town or any area under its jurisdiction, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

Section 203. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 204. The owner of each lot or parcel of real property within the Town of College Place not already connected to the public sewer system of said Town upon which lot or parcel of property there is situated any building or structure for human occupation or use for any other purpose shall install suitable toilet facilities thereon and shall connect such facilities, together with all other facilities thereon the use of which results in the existence of sewage as defined herein, with the public sewer system at his own expense within the time hereinafter provided, ~~WHENEVER~~ there is a public sewer line within 200 feet of the property line of such lot or parcel. The Town Council shall, from time to time, designate such portions or areas of the Town within which such sewer connections shall be made in accordance with this section. After such area is designated a notice shall be published in the official newspaper of the Town, signed by the Town Clerk, giving notice that such sewer connections must be made and completed within six (6) months of such notice within the designated area.

ARTICLE IV

Section 301. No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer without first obtaining a written permit from the Town Clerk. No unauthorized person shall open, alter, or disturb the streets or alleys of the Town of College Place, for the purpose of making connection with the public sewer system, without first obtaining a written permit therefor from the Town Clerk.

Section 302. No person shall construct nor commence the construction of a private sewer or private sewage disposal system without first obtaining the written permit from the Town Clerk. No person shall construct, extend, re-lay, repair, or connect a building sewer without first obtaining a written permit from the Town Clerk.

Section 303. An application for any permit shall be made on a form furnished by the Town of College Place which the applicant shall supplement with such plans, specifications and other information as deemed necessary by the Town Clerk. A permit and inspection fee of three dollars (\$3.00) shall be paid to the Town Clerk at the time the application is filed. No permit shall become effective until after the Town Clerk has inspected the construction or installation as completed and before any underground portions are covered. Inspection shall be made by the Town Clerk within forty-eight (48) hours after receipt of notice by her.

Section 304. The type, capacities, location, and layout of a private sewage system shall comply with all recommendations and regulations of the Department of Public Health of the State of Washington. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet, or to ground surface. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.

Section 305. Whenever a public sewer becomes available to a lot or parcel served by a private sewage disposal system, as provided in Section 204, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material, or covered to the satisfaction of the inspector.

Section 306. A separate and independent building sewer line shall be provided for each building, for connection with the public sewer system; PROVIDED that where feasible this requirement may be waived upon submission of alternate plans approved by and thereafter constructed under the supervision of the Town Clerk.

Section 307. All connections and building sewer lines connecting with the public sewer system shall be constructed, installed, and connected in such a manner as to insure a permanent and sanitary sewer water tight throughout. The pipe used in the installation thereof shall be equal in quality to the pipe used in the general sewer system, and not less than four inches in diameter. The jointing compound, where mechanical joints are not used, shall be equal in quality to that used in the general or public sewer system. Where mechanical joints are used, they shall be of such construction that an absolutely tight joint is insured. The building sewer shall be sufficient to carry all sewage into the general sewer system, and each toilet, sink, stationary wash stand, and every other piece or type of equipment or facility having waste fluids or sewage (as defined in Section 2) shall be connected therewith. The slope of the building sewer shall be subject to the approval of the Town Clerk; the pipe in the building sewer shall be laid so that the flow line therein will be at a depth of not less than 30 inches from the surface of the ground.

Section 308. All excavations for building sewer installations shall be properly safeguarded with lights and barricades so that the same may not be a menace to public safety. All streets, sidewalks, alleys, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

ARTICLE IV

Section 401. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters into the public sewer system.

Section 402. No person shall discharge or cause to be discharged into the public sewer system any flammable or explosive liquid, solid, or gas,

any garbage not properly shredded, any ashes, cinders, sand, mud, oil, grease, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage treatment plant, PROVIDED that waste fluids containing minute portions of commercial petroleum oils may be discharged into the public sewer system after the installation of a grease trap inspected and approved by the Town Clerk.

Section 403. In the event the building sewer and connection are not made within the time herein provided for following notice, the Town Clerk is hereby authorized and directed to cause the same to be made and to file a statement of the cost thereof with the Town Clerk, and thereupon a warrant shall be issued under the direction of the Town Council against the Water and Sewer Revenue Fund for the payment of such cost. Such amount, together with a penalty of ten percent (10%) thereof, plus interest at the rate of eight percent (8%) per annum upon the total amount of the cost and penalty, shall be assessed against the property upon which such building sewer and connection has not been placed as required, and shall become a lien thereon as herein provided. Such total amount, when collected, shall be paid into the Water and Sewer Revenue Fund.

ARTICLE V

Section 501. All applications for water service installations and for water service shall be made at the office of the Town Clerk on forms furnished by the Town, which applicant shall supplement with such information as deemed necessary by the Town Clerk. All applications shall be made by the owner of the property to be served or his authorized agent, and all accounts shall be in the name of the owner of such property. No person shall make any connection with either the domestic system or add to an existing connection any additional unit without first obtaining a permit as herein required.

Section 502. In making all future connections with the domestic water system, each residence, residential unit, individual business, business enterprise, or business unit, or industrial enterprise or unit, shall be considered an individual consumer and shall be supplied through a separate service connection, PROVIDED that the term "future connections" shall be deemed to include any and all connections hereafter made, or modification of existing connections, such as the installation of water meters onto domestic supply lines in those instances where such meters have not been installed.

Section 503. All new service pipes, shall be placed not less than 30 inches below the surface of the ground.

Section 504. Owners of services are responsible for all leaks or damages on account of leaks from privately owned services. Privately owned services shall be deemed to include all domestic service lines between the water main or meter and consumer's property, and all domestic service lines lying in, on, or under the consumer's property.

ARTICLE VI

Section 601. The charges for public sewer service shall be upon the following monthly schedule:

Single residence, \$3.00; Apartments in residences, \$2.00; Apartment Buildings, \$2.00 for first unit and \$2.00 for each additional unit under the same roof; Auto Courts and Motels, \$2.00 for first unit and \$2.00 for each additional unit; Service Stations and Garages, \$5.50; Cafes, Barber and Beauty Shops, and Drug Stores with fountain, \$5.00; College Facilities, \$1.50; Elementary & High Schools, \$4.00; Churches, Halls, Post Office, \$4.00; Private Offices, Groceries, and other light water users, \$4.00; Trailer Courts, \$4.00 for operation facilities and \$2.00 for each trailer space; Town Hall, \$25.00.

Section 602. There shall be no credit for vacant or unoccupied premises as to domestic water service or public sewer service. PROVIDED that in the following instances the regular charges may be amended as set forth:

Premises subject to seasonal use and occupied or operated for three months' period or less during the year;

During month, or any portion thereof, of occupation, use, or operation -- regular charges for domestic water and public sewer service;

During balance of year -- following notice to Town Clerk and turning off of domestic water service to premises, a standby charge of \$1.00 per month for sewer service and a charge of \$1.00 per month for domestic water service;

Premises normally used, occupied, or operated for more than three months' period during the year;

At consumer's option, upon notice to Town Clerk and turning off of domestic water service, charges for domestic water service shall cease until such time as Town Clerk has turned domestic water on again following notice by consumer to do so, PROVIDED that no domestic water shall be again turned on in such instances until after payment by consumer to the Water and Sewer Department of the sum of \$1.00 for turn-on charges.

Section 603. In the case of all future new connections, being those services not connected prior to April 1st, 1955, the following connection and inspection charges shall be paid to the Town by the person desiring to make such connection, which charges shall be payable at the time application is made for permit to perform the work and make the connection:

Public Sewer \$75.00

Section 604. The Town of College Place shall pay to the Water and Sewer Department from the Current Expense Fund the following amounts:

For each City fire hydrant connected to the water mains of the Town\$_____per month.

For all water and sewer service used in public buildings and parks, an amount figured at regular rates for each service installed.

Section 605. All charges for domestic water and sewerage service shall be due and payable at the office of the Town Clerk on or before the 10th day after the bill has been issued therefor, and shall become delinquent after said 10th day. Both domestic water and sewerage bills shall cover periods of one month and shall be issued upon a single statement where feasible. All payments and collections for domestic water service, and sewerage service shall be paid into the Water and Sewer Revenue Fund.

Section 606. All charges for water and sewer connections and service, and all service charges, provided in this Ordinance, or as may be hereafter amended, together with penalties and interest thereon, shall be a lien upon the property with which such connections are made or to which such sewerage service or domestic water service is rendered, superior to all other liens and encumbrances whatsoever, except for general taxes and local special assessments. Enforcement of such lien or liens shall be in the manner provided by law.

Section 607. As an additional and concurrent method of enforcing the lien of said Town for sewerage or domestic water charges, the Town Clerk is hereby authorized and directed at the end of 60 days after the date of first delinquency of any of such charges (1) in the case of domestic water and sewerage charges to cut off the water service from penalties in the sum of ten (10%) percent of the unpaid charges, plus interest at the rate of eight (8%) percent per annum upon such unpaid charges and penalties, together with the additional sum of \$1.00 for turning the domestic water on, shall have been paid.

ARTICLE VII

Section 701. All domestic water mains and lines lying outside the corporate limits of the Town shall be installed, owned, and maintained by the consumers and the Town of College Place shall have no duty to repair or replace such mains or lines. Water meters on such domestic service outside the corporate limits shall be placed, installed, and maintained within the discretion of the Water and Sewer Department, and shall remain the property of the Town regardless of location.

Section 702. The Superintendent is directed and authorized to immediately shut off all domestic lines whenever such water lines develop leaks or their condition is such as to constitute a danger to the domestic water supplies of the Town of College Place, such water lines shall remain shut off until properly repaired or replaced. In the event the leaks or defects exist

on supply lines to consumers within the Town limits or on any portion of the main lines or supply lines outside the Town limits, such repairs and replacements as may be necessary shall be accomplished by and at the sole expense of the consumer or owner of the property to which the service is provided, subject to the supervision and final approval of the Town Clerk.

Section 703. The Town Clerk shall have free access at proper hours to all buildings or premises served by the domestic water and sewerage system for the purpose of inspecting pipes and fixtures, the manner in which domestic water is being used, and the manner in which the provisions of this Ordinance are being complied with.

Section 704. No person other than an authorized employee of the Water and Sewer Department, the Fire Department or Street Department, shall operate fire hydrants or interfere therewith in any way without first obtaining authority so to do from the Sewer and Water Department.

Section 705. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the domestic water system or the public sewer and sewage disposal system.

Section 706. Any person who shall violate any of the provisions of this ordinance shall become liable to the Town for any expense, loss, or damage occasioned by the Town by reason of such violation.

Section 707. Any person found to be guilty of violating any provision of this ordinance shall be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding \$100.00 or by imprisonment in the Town Jail for a term not exceeding 30 days, or by both such fine and imprisonment.

Section 708. If any provision of this ordinance shall be construed by any court to be unconstitutional, such invalidity shall not affect the other provisions of this ordinance.

Section 709. Ordinance No. 51 of the Town of College Place shall be deemed repealed insofar as any portion thereof is in conflict with this Ordinance.

Unless there is a conflict between said Ordinance No. 51 and the foregoing Ordinance, it shall remain in full force and effect. Any and all other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby expressly repealed.

Section 710. This Ordinance shall be in full force and effect from and after its passage, approval, and posting, as provided by law.

PASSED by the Town Council of the Town of College Place, Washington, and approved by its Mayor this 23rd day of December, 1953.

Daniel T. Seachurs
Mayor

ATTEST:

Edel Briggs
Town Clerk

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
County of Walla Walla)

I, Ethel Briggs, being first duly sworn,
depose and say:

That I am the duly ^{appointed} ~~elected~~, qualified and acting Clerk
of the Town of College Place, Washington. That I am a citizen of the United
States, a resident of the Town of College Place, Washington, and over the age
of twenty-one. That heretofore and on the 29th day of December,
19 53, I personally posted three full and true copies of Ordinance No. 109
of the Town of College Place, Washington, in three separate places in said
Town; that one copy of said Ordinance was posted on a bulletin board at the
west entrance of the City Hall located on the East side of South College
Avenue between Third and Fourth Streets; that a second copy of said Ordinance
was posted on an electric power utility pole located on the South side of
Third Street between South College Avenue and Ash Avenue, and in front of what
is known as the Williams Lumber Company; that a third copy of said Ordinance
was posted on an electric power utility pole located on the West side of North
College Avenue where North College Avenue is intersected by Northeast "C" Street.

Ethel Briggs

Subscribed and sworn to before me this 30 day of Dec, 1953

Harley W. Allen
Notary Public in and for the State
of Washington; residing at Walla Walla