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RECORDED & INDEXED  
UNIFIED SEWERAGE AGENCY

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IN THE BOARD OF DIRECTORS  
FOR THE UNIFIED SEWERAGE AGENCY  
OF WASHINGTON COUNTY, OREGON

ORDINANCE NO. 27

(An Ordinance Prescribing the Rules and  
(Regulations Governing the Use and  
(Operation of the Sanitary Sewerage  
(System and the Storm and Surface  
(Water Management System; Requiring  
(Permits for Use of each System;  
(Adopting Certain Appeals Procedures  
(and Enforcement Provisions;  
(Repealing Ordinances 21 and 24 and  
(Declaring an Emergency

The Board of Directors of the Unified Sewerage Agency of  
Washington County, Oregon ordains:

SECTION 1. PURPOSE AND FINDINGS

A. The purpose of this Ordinance is to authorize rules and  
regulations for the sanitary sewerage system and for the storm  
and surface water system; to provide a process for adopting  
additional and more detailed rules and regulations for such  
systems; to provide a process for appeals from certain decisions  
of the Agency; and to provide a comprehensive enforcement program  
and procedures therefor.

B. The Unified Sewerage Agency was duly established  
pursuant to ORS Chapter 451, and has authority for sanitary  
sewerage, and storm and surface water, including drainage. In  
order to enhance and maintain the water quality of the Tualatin  
River and its tributaries within and without the USA, to meet  
state and federal permit and regulatory requirements, and to

1 promote the health, safety, and welfare of the community, this  
2 Board deems it necessary to regulate 1) the discharge of water,  
3 wastewater, and pollutants to public sanitary sewerage facilities  
4 and to USA treatment facilities; 2) the timing, quantity and  
5 quality of such discharges; 3) the construction, operation, and  
6 maintenance of public and private sewerage and stormwater  
7 facilities within the Agency or otherwise within the Agency's  
8 jurisdiction; 4) to regulate activities affecting discharges of  
9 stormwater and nonpoint sources of pollution, and which affect  
10 the timing, quantity and quality of all pollutant, storm water  
11 and waste water discharges to public facilities, the Tualatin  
12 River, its tributaries and other waters of the state within the  
13 Agency; and 5) to provide for related matters.

14 C. This Ordinance shall be broadly interpreted to  
15 accomplish the objectives of protecting the health and safety of  
16 the public, preventing pollution of the waters of the Tualatin  
17 River basin, and furthering the objectives and purposes of the  
18 Federal Water Pollution Control Act, 33 USC Sec 1251-1387.

## 19 SECTION 2. DEFINITIONS

20 The following words shall have the following definitions when  
21 used in this Ordinance and any Resolution and Order adopted  
22 pursuant hereto, unless the context requires otherwise or unless  
23 such word is expressly defined otherwise:

24 A. "Agency" shall mean the Unified Sewerage Agency of  
25 Washington County, Oregon, and shall include any representative

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1 or employee of the Agency authorized to act in its behalf. "USA"  
2 shall have the same meaning as "Agency".

3 B. "Base Flood or Base Storm" shall mean the 100 year  
4 storm, and the floods resulting or predicted from that storm.

5 C. "Board" shall mean the Board of Commissioners of  
6 Washington County, Oregon, in its capacity as the Board of  
7 Directors of the Unified Sewerage Agency.

8 D. "Building Sewer" shall mean that portion of the sanitary  
9 sewer extending from a point five (5) feet outside the  
10 established line of the building or structure in question  
11 (including any structural projection except eaves) to the public  
12 right-of-way or easement line.

13 E. "Connection" (sanitary sewer) system shall mean the  
14 physical act or process of tapping a public sewer line, or  
15 joining onto an existing side sewer, for the purpose of  
16 connecting private plumbing or industrial systems to the public  
17 sewer system; and shall also include the increasing of fixtures  
18 or increasing the quantity or strength of the sewage discharge to  
19 the sanitary system.

20 F. "Connection" (storm and surface) water system shall mean  
21 the physical act or process of tapping a public storm sewer line,  
22 or joining onto an existing side sewer, for the purpose of  
23 connecting private impervious surface or other storm and surface  
24 water sources or systems to the public storm sewer system; and  
25 shall also include the increasing of the quantity or strength of  
26 the storm water sewage discharge to the storm and surface water

1 system. Connection to the storm and surface water system also  
2 shall mean the construction or creation of impervious surface, or  
3 other human activity that causes or is likely to cause, an  
4 increase from the natural state of storm water runoff quantity or  
5 pollution, a decrease in water quality, or a combination thereof,  
6 to the storm and surface water system.

7 G. "Days" shall mean calendar days unless otherwise  
8 specified.

9 H. "Domestic Wastewater" shall mean the liquid and  
10 waterborne wastes derived from the ordinary living processes in a  
11 dwelling unit, and being of such character as to permit  
12 satisfactory disposal, without special treatment, into a public  
13 sewer.

14 I. "Erosion" shall mean the movement of soil particles  
15 resulting from the flow or pressure from storm water, irrigation  
16 water, other water, or wind.

17 J. "Flood Fringe or Flood plain Fringe" shall mean the area  
18 outside the floodway, but inside the floodplain.

19 K. "Flood Plain" shall mean the land area that has been or  
20 may be covered temporarily by water as identified and designated  
21 by the Agency pursuant to this Ordinance, and shall identify the  
22 frequency of the storm event.

23 L. "Flood Plain Elevation" shall mean the measured or  
24 predicted elevation of storm water in the flood plain for a given  
25 frequency storm at a given location.

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1 M. "Floodway" for a given storm event shall mean the  
2 portion of a creek, river, stream, or watercourse required for  
3 the passage or conveyance of the storm event, as identified and  
4 designated by the Agency pursuant to this Ordinance. The  
5 floodway shall include the channel of a river and the adjacent  
6 floodplain that must be reserved in an unobstructed condition in  
7 order to discharge the base flood without increasing flood levels  
8 by more than one foot.

9 N. "General Manager" shall mean the General Manager of the  
10 Unified Sewerage Agency, the chief administrative officer of the  
11 Agency.

12 O. "Industrial User" shall mean any user of the Agency  
13 sewerage system who discharges an effluent other than domestic  
14 wastewater into the Agency Wastewater System by means of pipes,  
15 conduits, pumping stations, force mains, constructed drainage  
16 ditches, surface water intercepting ditches, intercepting  
17 ditches, and all constructed devices and appliances appurtenant  
18 thereto.

19 P. "Industrial Waste" shall mean any wastewater other than  
20 domestic wastewater, whether the source is domestic, industrial,  
21 commercial, institutional, or other.

22 Q. "Inflow and Infiltration" shall mean the volume of both  
23 infiltration water and inflow water found in the sanitary sewer  
24 system. Infiltration is the volume of groundwater entering  
25 sanitary sewerage facilities from the soil, through defective  
26 joints, broken or cracked pipe, improper connections, manhole

1 walls, etc. Inflow is the volume of surface water discharged  
2 into sanitary lines from such sources as roof leaders, cellar and  
3 yard area drains, foundation drains, manhole lids in the low  
4 lying areas, and cross-connections from the storm and surface  
5 water system to the sanitary sewerage system.

6 R. "Owner" shall mean the legal owner(s) of record as shown  
7 on the tax rolls of the appropriate county, or where there is a  
8 recorded land sale contract, the purchaser thereunder.

9 S. "Person" shall mean any individual, public or private  
10 corporation, political subdivision, governmental agency,  
11 municipality, partnership, association, firm, trust, or any other  
12 legal entity whatsoever.

13 T. "Pollutant" shall be as defined as in Oregon Revised  
14 Statutes Section 468.700, 1993 Edition.

15 U. "Review authority" shall be the person or entity  
16 designated in this Ordinance to review a rule, application for  
17 permit, enforcement action, or other action of the Agency.

18 V. "Rule" shall mean any written standard, directive,  
19 interpretation, policy, regulation, procedure or other provision,  
20 adopted by the Board of Directors as a Resolution and Order to  
21 carry out the provisions of this Ordinance.

22 W. "Sanitary Sewerage System" or "Agency Sewerage System"  
23 shall mean all publicly owned treatment works, pumping or lift  
24 facilities, interceptor and main sewer pipe lines, force mains,  
25 manholes, laboratory facilities and equipment, and related public  
26 facilities for the collection, conveyance, treatment, recycling,

1 reclamation and disposal of sewage, comprising the total publicly  
2 owned sanitary sewerage system within Agency jurisdiction, to  
3 which storm, surface and ground waters are not intentionally  
4 admitted.

5 For purposes of initial construction or reconstruction of  
6 public sewer main or interceptor lines, the Agency sewer system  
7 may also include the portion of a service lateral sewer line  
8 within the public right of way or easement. Upon acceptance by  
9 the Agency of a completed public sewer project, the  
10 responsibility for maintenance and reconstruction of the service  
11 lateral sewer line shall be borne by the owner of the property to  
12 which service is provided.

13 X. "Sewage" shall mean water-carried human wastes or a  
14 combination of water-carried wastes from residences, commercial  
15 buildings, institutions, industrial establishments or other  
16 places together with such ground, surface, storm or other waters  
17 as may be present.

18 Y. "Side Sewer" shall mean that portion of the sanitary  
19 sewer extending from the public sewer main to the public  
20 right-of-way or easement line.

21 Z. "Standards" shall mean the standards and conditions of  
22 use of the storm and surface water system and the sanitary sewer  
23 system as specified and adopted by the Agency, and shall also  
24 mean applicable statutes and rules of the United States and of  
25 the State of Oregon.

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1 AA. "Storm" shall mean the disturbance of the ordinary  
2 average conditions of the atmosphere, which may include, but is  
3 not limited to any or all disturbances such as wind, rain, snow,  
4 hail, or thunder.

5 BB. "Storm and Surface Water System" and "Stormwater System"  
6 mean any combination of publicly owned storm and surface water  
7 quality treatment facilities, pumping, or lift facilities, storm  
8 drain pipes and culverts, open channels, creeks and rivers, force  
9 mains, laterals, manholes, catch basins and inlets, including the  
10 grates and covers thereof, detention and retention facilities,  
11 laboratory facilities and equipment, and any other publicly owned  
12 facilities for the collection, conveyance, treatment and disposal  
13 of storm and surface water comprising the total publicly owned  
14 storm and surface water system within the Agency jurisdiction, to  
15 which sanitary sewage flows are not intentionally admitted.

16 CC. "10-Year Storm" shall mean a rainfall storm that has a  
17 probability of occurrence on an average of once every 10 years.

18 DD. "100-Year Storm" shall mean a rainfall storm that has a  
19 probability of occurrence on an average of once every 100 years,  
20 and shall include storm events, or sequences of events that  
21 produce a flood level with a one percent or greater change of  
22 being equaled or exceeded in any given year.

23 EE. "The System" or "The Wastewater System" shall include  
24 both the sanitary sewerage system and the storm and surface water  
25 system.

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1 FF. "This Ordinance" shall include Ordinance No. 27, any and  
2 all resolution and orders adopted pursuant hereto; any rule or  
3 Resolution and Order adopted pursuant thereto; Resolution and  
4 Order Nos. 90-63, 91-47, and 92-60, unless expressly repealed;  
5 and including any amendments thereto.

6 GG. "Upset" shall mean an exceptional incident in which an  
7 Industrial User unintentionally and temporarily is in a state of  
8 noncompliance with this Ordinance due to factors beyond the  
9 reasonable control of the Industrial User, and excluding  
10 noncompliance to the extent caused by operational error,  
11 improperly designed or inadequate treatment facilities, lack of  
12 preventive maintenance, or careless or improper operation  
13 thereof.

14 HH. "USAAC" shall mean the Unified Sewerage Agency Advisory  
15 Commission.

16 II. "User" shall mean any person owning, managing or having  
17 a possessory interest in property which is connected to and/or  
18 being serviced by the Agency sewerage system or storm and surface  
19 water management system.

20 JJ. "Wastewater" shall include sanitary sewage entering the  
21 sanitary sewer system, and storm and surface waters entering the  
22 storm and surface water system.

23 KK. "Watercourse" shall mean a channel, creek, stream,  
24 river, swale, or storm drain pipe in which a flow of water occurs  
25 either continuously or intermittently; and if the latter, with  
26 some degree of regularity. Such flow must be in a definite

1 direction. Watercourses may be either natural or artificial, and  
2 the former may occur either on the surface or underground.

3 LL. "Wetlands" shall mean those areas designated by the  
4 Agency that are inundated or saturated by surface or ground water  
5 at a frequency and duration sufficient to support, and that under  
6 normal circumstances do support, a prevalence of vegetation  
7 typically adapted for life in saturated soil conditions.

8 SECTION 3. RULES AND REGULATIONS GOVERNING THE SEWERAGE SYSTEM  
9 AND STORMWATER SYSTEM

10 A. Sewerage System

11 1. No person shall contribute or discharge or cause to  
12 be contributed or discharged, directly or indirectly, any of the  
13 following described substances into the sanitary sewerage system,  
14 or otherwise to the facilities of the Agency:

15 a. Any liquids, solids or gases which by reason of  
16 their nature or quantity are, or may be, sufficient either alone  
17 or by interaction to cause fire or explosion or be injurious in  
18 any other way to the operations of the Agency.

19 b. Solid or viscous substances which will or may  
20 cause obstruction to the flow in a sewer or other interference  
21 with the operation of the wastewater system.

22 c. Any wastewater having an acidic or alkaline  
23 strength or corrosive property capable of causing damage or  
24 hazard to structures equipment, or personnel of the system unless  
25 the Agency approves such waste in variance because of special  
26 conditions in the system.

1           d. Any wastewater containing toxic pollutants or  
2 other wastes in sufficient quantity, either singly or by  
3 interaction, to injure or interfere with any wastewater treatment  
4 process, to constitute a hazard to humans or animals, or to  
5 exceed any limitations adopted as federal categorical  
6 pretreatment standards.

7           A toxic pollutant shall include, but not be  
8 limited to, any pollutant identified in the Toxic Pollutant List  
9 set forth in Resolution and Order 92-60, and as may be further  
10 prescribed by rule. All toxic pollutants shall be deemed to be  
11 "prohibited or regulated substances" for purposes of this  
12 Ordinance.

13           e. Any noxious or malodorous liquids, gases, or  
14 solids which either singly or by interaction are capable of  
15 creating a public nuisance or hazard to life or are sufficient to  
16 prevent entry into the systems for their maintenance and repair.

17           f. Any substance which may cause the system's  
18 effluent or treatment residues, sludges, or scums, to be  
19 unsuitable for reclamation and reuse or to interfere with the  
20 reclamation process. Any substance which may cause the system to  
21 be in noncompliance with sludge use or disposal criteria,  
22 guidelines, or regulations affecting sludge use or disposal  
23 developed pursuant to the Solid Waste Disposal Act; the Clean Air  
24 Act; the Toxic Substances Control Act; the Resource Conservation  
25 and Recovery Act; the Comprehensive Environmental Response,

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1 Compensation and Liability Act; or State standards applicable to  
2 the sludge management methods used by the Agency.

3 g. Any substance discharged in such strength as to  
4 potentially cause the Agency system to violate its NPDES or other  
5 Disposal System Permits.

6 h. Any ashes, antifreeze, cinders, sand, mud,  
7 straw, insoluble shavings, metal, glass, rags, feathers, tar,  
8 creosote, plastics, wood, animal paunch contents, offal, blood,  
9 bones, meat trimmings and wastes, lard, tallow, baking dough,  
10 chemicals, paint residues, cannery waste bulk solids, hair and  
11 fleshings, plastic or paper dishes, cups, or food or beverage  
12 containers, whether whole or ground; gasoline, motor oil, or  
13 other petroleum product, unless prior written approval has been  
14 obtained from the Agency.

15 i. Any of the following discharged into the  
16 sanitary system: noncontact cooling water, rainwater,  
17 groundwater, surface drainage, roof drainage, water from yard  
18 fountains, ponds or pools, except filter backwash from swimming  
19 pools, unless prior written approval has been obtained from the  
20 Agency.

21 2. Pretreatment of Wastewater by Industrial Users;  
22 Sanitary System

23 The Board may adopt additional rules setting forth  
24 uniform requirements for Industrial Users of the Agency's  
25 wastewater collection and treatment system, in accordance with  
26 Section 8 of this Ordinance. Such rules shall be aimed at

1 enabling the Agency to protect the public health in the following  
2 manners:

3 a. By preventing the introduction of pollutants  
4 into the Agency wastewater system which will interfere with the  
5 normal operation of the system or contaminate the resulting  
6 sludge;

7 b. By preventing the introduction of pollutants  
8 into the Agency wastewater system which do not receive adequate  
9 treatment and which will pass through the system into receiving  
10 waters or the atmosphere or otherwise be incompatible with the  
11 system;

12 c. By improving the opportunity to recycle and  
13 reclaim wastewater and sludge from the system.

14 B. Stormwater System

15 No user shall contribute or discharge or cause to be  
16 contributed or discharged, directly or indirectly, into the storm  
17 and surface water system of the Agency, sanitary sewage, septic  
18 tank leakage or overflow, animal waste, or any other substance,  
19 the discharge of which is prohibited or limited under Section 3A  
20 above, except: noncontact cooling water, rainwater, groundwater,  
21 surface drainage, roof drainage, water from yard fountains, ponds  
22 or pools, except filter backwash from swimming pools, subject to  
23 regulation of the quantity, quality, and timing as further  
24 provided in this Ordinance.

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1           C.   Additional Rules

2           The Board may by rule adopt additional discharge  
3 prohibitions, regulations, and limitations for the sanitary  
4 sewerage system, storm and surface water system and for all or  
5 any class of users.

6   SECTION 4.   DESIGN AND CONSTRUCTION STANDARDS FOR PUBLIC  
7                   FACILITIES

8           A.   Sanitary System Facilities

9           No person shall connect to any part of the sanitary  
10 sewer system or construct or extend any such part without first  
11 making an application and securing a permit from the Agency for  
12 such connection, construction or extension, nor may any person  
13 substantially increase the flow, or alter the character of  
14 sewage, without first obtaining an additional permit and paying  
15 the applicable charges therefor as may be prescribed by Agency  
16 Ordinance. No person shall discharge any wastewater to the  
17 sanitary sewer system prior to obtaining such permit.

18           B.   Storm and Surface Water System Facilities

19           No person shall connect to, substantially increase the  
20 flow to, or alter the character of storm and surface water  
21 flowing to, any part of the storm and surface water system or  
22 construct or extend any such part, cause erosion, or alter a  
23 designated wetland, floodplain or floodway without first making  
24 an application and securing a permit from the Agency for such  
25 action, and paying such charges therefor as are required by  
26 Agency ordinance.

1           C. Permits

2           Upon approval of the application and payment of  
3 charges, the Agency will issue the applicable permit for the  
4 premises covered in the application. The application and permit  
5 shall be on forms provided by the Agency.

6           D. Permit Conditions

7           After approval of the application, evidenced by the  
8 issuance of a permit, no change shall be made in the location of  
9 the work, activities, the grade, materials, or other details from  
10 those described in the permit or as shown on the plans and  
11 specifications for which the permit was issued except with  
12 written permission from the Agency.

13           The applicant's signature on the application for any  
14 permit as set forth, shall constitute an agreement to comply with  
15 all of the provisions, terms and requirements of this ordinance  
16 and any other applicable federal, state or local law, and with  
17 the plans and specifications filed with the application if any,  
18 together with such corrections or modifications as may be made or  
19 permitted by the Agency, if any. Such agreement shall be binding  
20 upon the applicant and may be altered only by the Agency upon  
21 written request for alteration from the applicant. All rules  
22 adopted pursuant to this section regarding standards for  
23 construction of the components of the Unified Sewerage Agency  
24 system must be met to the satisfaction of the Agency prior to any  
25 connection to the Agency's sewer system or storm and surface  
26 water system.

1           E.   Prohibition of Occupancy

2           No building, industrial facility, or other structure to  
3 be served by the sanitary sewer system or storm and surface water  
4 system shall be occupied until the Owner of the premises has  
5 complied with all applicable rules and regulations of the Agency.

6   SECTION 5. STANDARDS FOR SEPTIC TANK PERFORMANCE

7           A.   The Board may by rule establish criteria for septic tank  
8 performance for the purpose of preventing the introduction of  
9 pollutants into storm and surface waters within the Agency.

10          B.   Upon a determination by the Agency that a septic system  
11 is not meeting established performance standards, such property  
12 may be compelled to correct the system to meet the standards or  
13 connect to the Agency sanitary sewer system.

14          C.   Except as provided by rule or otherwise in this section,  
15 no person shall construct or maintain any privy, privy vault,  
16 septic tank, cesspool, seepage pit or other facility intended or  
17 used for the disposal of sewage.

18          D.   The owner of any building within the Agency boundaries  
19 within 300 feet of any street or sewer easement in which there is  
20 located a public sewer of the Agency, is hereby required at his  
21 expense to connect such building directly to the proper public  
22 sewer in accordance with the provisions of this ordinance, within  
23 ninety (90) days after the date of official notice from the  
24 Agency to do so.

25          E.   Within three years of such time as a public sewer  
26 becomes available to a property served by a private sewage



1 disposal system, a direct connection shall be made to the public  
2 sewer in compliance with the rules and regulations of the Agency,  
3 and any septic tanks, cesspools, and similar private sewage  
4 disposal facilities shall be abandoned and filled with suitable  
5 material as required by Oregon law.

6 SECTION 6. INFILTRATION AND INFLOW

7 A. Drainage from roofs, foundation drains, gutters,  
8 uncontaminated cooling water or surface or ground water drains  
9 shall not be permitted to enter the Agency Sanitary Sewer System.  
10 Leaks from private sewage systems, including but not limited to  
11 building and side sewers, into the Agency Sanitary Sewer System  
12 shall not be permitted. Neither temporary nor permanent drainage  
13 from excavations into the Agency Sanitary Sewer System shall be  
14 allowed. Overflows or drains from private or public swimming  
15 pools shall not be permitted without prior written approval of  
16 the Agency.

17 B. Violation of subsection A of this section is hereby  
18 deemed to be a public nuisance, and shall be subject to the  
19 remedies and enforcement of Section 10.

20 C. The Board may by rule establish standards and criteria  
21 for Infiltration and Inflow for the purpose of preventing and  
22 removing these from the Agency sanitary sewer system.

23 SECTION 7. DESIGNATION OF WETLAND, FLOOD PLAIN, AND OTHER LANDS

24 A. The Board may by rule consistent with applicable  
25 statutes, rules, and other laws, designate wetlands, flood plains  
26 and floodways, and other lands subject to the influence of

1 surface waters within the Agency. Such designation may be based  
2 in whole or in part upon the inventory of any federal or state  
3 agency, inventory of the Agency or other local government,  
4 information from any source which the Agency deems to be  
5 reliable, or criteria for such designation as the Board may  
6 adopt.

7 B. Upon designation of wetlands, floodplains or floodways,  
8 no person shall alter, dredge, fill, or deposit material onto  
9 designated lands without obtaining a permit from the Agency.

10 C. The Board may by rule exempt certain classes of  
11 activities from the requirements of subsection B of this section,  
12 upon a finding that such activities, in the aggregate within the  
13 Agency, would have no substantial adverse effect on public safety  
14 and water quality.

15 SECTION 8. ADOPTION OF RULES; INTERPRETATIONS AND APPEALS

16 A. Adoption of Rules

17 1. Upon the recommendation of the General Manager, the  
18 Unified Sewerage Agency Advisory Commission (USAAC), or upon its  
19 own motion, the Board may, by Resolution and Order, promulgate  
20 rules pertaining to matters within the scope of this Ordinance.

21 2. Any rule adopted pursuant to this section shall  
22 require a public hearing. Not less than five nor more than  
23 thirty days before such hearing, public notice of such hearing  
24 shall be given by publication in a newspaper of general  
25 circulation within the Agency. Such notice shall include the

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1 place, time, and purpose of the hearing and the location at which  
2 copies of the full text of the proposed rules may be obtained.

3 3. At the public hearing, the Board shall hear  
4 testimony concerning the proposed rules. At the conclusion of  
5 the public hearing, the Board shall either adopt the proposal,  
6 modify or reject it. If a modification is made, an additional  
7 public hearing shall be held but no additional notice shall be  
8 required if such additional hearing is announced at the meeting  
9 at which the modification is made. All rules shall be effective  
10 upon adoption by the Board and shall be filed in the Office of  
11 the Unified Sewerage Agency.

12 4. Notwithstanding subsections 2 and 3 of this section,  
13 a rule may be adopted without prior notice upon a finding that  
14 failure of the Board to act promptly will result in serious  
15 prejudice to the public interest or the interest of the affected  
16 parties, including the specific reasons for such prejudice. Any  
17 rule adopted pursuant to this subsection shall be effective for a  
18 period of not longer than 180 days.

19 B. Administrative Appeal

20 1. This Ordinance, all rules, regulations, and  
21 applications and interpretations thereof shall be initially made  
22 by the Agency. For the purposes of this subsection, "Agency"  
23 shall be defined as any employee or representative authorized and  
24 designated by the General Manager to render interpretive rulings  
25 of this Ordinance. No review of the application of any rule,  
26 interpretation, or variance from a rule shall be authorized under

1 this section unless the person seeking the review has first  
2 requested in writing an interpretation by the Agency.

3 2. Any person aggrieved by a ruling or interpretation  
4 of the Agency under this Ordinance and requesting review of such  
5 decision shall submit a written statement of the appeal to the  
6 General Manager together with the applicable fee. The appeal  
7 shall contain:

8 a. The applicant's name and address;

9 b. The facts and circumstances leading to the  
10 appeal;

11 c. The specific Agency rule, provision, or  
12 interpretation at issue;

13 d. The impact of the rule or ruling on the  
14 appellant; and

15 e. The relief requested.

16 The appellant shall bear the burden of proof.

17 3. The General Manager shall review each complete  
18 appeal request. He may designate a USA staff member to  
19 investigate the matter. He may request additional information  
20 from the appellant, and from Agency staff. The General Manager's  
21 decision on the matter shall be made in writing within 30 days of  
22 receipt of a complete appeal and mailed or delivered to the  
23 appellant.

24 4. If the appellant is dissatisfied with the General  
25 Manager's decision, he may appeal the matter to the Agency Review  
26 Authority, which may be a subcommittee of the Unified Sewerage

1 Agency Advisory Commission, excluding any persons then serving on  
2 the USA Budget Committee; a hearings officer appointed by the  
3 Agency; or as otherwise provided by rule. Such appeal shall be  
4 in writing, be accompanied by the required fee, shall be actually  
5 received by the Agency within 30 days of the date of mailing or  
6 delivery of the General Manager's decision, and shall be limited  
7 to the issues raised in the original written appeal. Failure of  
8 an appeal to conform to the requirements of this subsection shall  
9 be grounds for dismissal of the appeal.

10 5. The Agency review authority shall review the written  
11 appeal, and any written material submitted by Agency staff, and  
12 the Agency Ordinance, rule or decision at issue. The authority  
13 may schedule a hearing by written notice not less than 14 days in  
14 advance to hear testimony and further information. The review  
15 authority may uphold, set aside, or modify the decision of the  
16 Agency. The decision of the Agency may be rejected or modified  
17 only if:

- 18 a. It exceeded the authority of the Agency; or
- 19 b. It was based upon an incorrect interpretation of  
20 law or Agency ordinance; or
- 21 c. It was based upon a mistake of fact made by the  
22 Agency; or
- 23 d. It was not supported by substantial evidence in  
24 the record.

25 6. Neither the General Manager nor the Agency review  
26 authority shall have authority to waive or set aside any standard

1 or requirement of the Agency imposed pursuant to this Ordinance,  
2 state or federal law or permit. The General Manager or review  
3 authority may grant a variance of a standard or requirement  
4 imposed solely under Agency requirements, provided that such  
5 variance does not impose additional cost or risk to the Agency,  
6 does not endanger public health or the environment, and  
7 substantially meets or exceeds the function or purpose of the  
8 standard or requirement.

9 The decision of the Agency review authority shall be  
10 made in writing, and shall be sent to the applicant not more than  
11 sixty (60) days from receipt of the appeal.

12 7. The following matters are not subject to appeal  
13 under this subsection:

14 a. Actions or decisions of the Agency taken under  
15 Section 10 of this Ordinance; and

16 b. the establishment of a rule, regulation or  
17 standard by the Board.

18 8. Failure to properly exhaust the administrative  
19 remedy provided for herein shall constitute a bar to judicial  
20 relief.

## 21 SECTION 9. MISCELLANEOUS PROVISIONS REGARDING USE OF AGENCY

### 22 WASTEWATER SYSTEM

#### 23 A. Hold Harmless

24 All users of the system, all contractors who may perform  
25 work on the system in any manner and all other persons or  
26 entities whose actions may affect the system shall indemnify and

1 hold harmless the Agency, its officers, employees, and  
2 representatives from and against all suits, actions or claims of  
3 any character or nature brought because of any injuries or  
4 damages received or sustained by any person or property or  
5 alleged to have been so received or sustained on account of the  
6 actions or failure to act of such users, contractors or other  
7 persons, their subcontractors, employees or representatives.  
8 Such indemnification shall include the costs of defense of such  
9 claims including attorney fees.

10 B. Compliance with Laws

11 All users of the system and any person or entity whose  
12 actions may affect the system shall comply with all applicable  
13 federal, state and local laws. This Ordinance shall in no way  
14 substitute for or eliminate the necessity for such compliance.

15 C. Ordinance and Rules as Contract

16 The terms and conditions contained in this Ordinance  
17 shall constitute a contract between the Agency and all users,  
18 contractors and connectors to the system. The consideration for  
19 the conditions, pecuniary or otherwise, imposed upon such users  
20 and connectors shall be the privilege of the use of and  
21 connection to the Agency's sanitary sewerage system or storm and  
22 surface water system.

23 D. No Property Interest Acquired by Purchase of Permit or  
24 Connection to System

25 A user or connector to the Agency wastewater system does  
26 not thereby acquire a vested property interest in continued use

1 or connection to the system. Such use or connection is  
2 conditional always upon such user or connector complying with all  
3 applicable terms and conditions contained in this Ordinance and  
4 all resolutions and orders adopted pursuant hereto and, further,  
5 upon compliance with all federal, state or local requirements  
6 which are or may hereafter be imposed upon such user or  
7 connector. Nothing contained herein shall require the Agency to  
8 provide service, access, or connection to the system to any  
9 person when any federal, state or local agency having  
10 jurisdiction over the Agency has imposed limitations on such  
11 service or access or when the Agency, in its discretion, has  
12 determined that the public interest requires any such limitation  
13 in the manner provided by law.

14 E. Conflicts with Existing and Future Regulatory  
15 Requirements of Other Agencies

16 Any provisions or limitations of this Ordinance and any  
17 rules adopted pursuant hereto are superseded and supplemented by  
18 any applicable federal, state or local requirements existing or  
19 adopted subsequent hereto, which are more stringent than the  
20 provisions and limitations contained here. Any provision of this  
21 Ordinance and rules adopted pursuant hereto which are more  
22 stringent than any such applicable federal, state or local  
23 requirement shall prevail and shall be the standard for  
24 compliance by the users of and connectors to the Agency's system.

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26 /////



1 F. Administration of this Ordinance

2 The Agency, through its General Manager or other  
3 authorized designee or representative shall have the authority to  
4 do all things necessary to administer the provisions of this  
5 Ordinance and any rules adopted pursuant hereto.

6 G. Conformance to Standards

7 To the extent that any provision in this Ordinance or a  
8 rule adopted hereunder may impose a standard of operation,  
9 maintenance, use or care of private property, conformance to the  
10 standard is necessary to meet the routine obligations of  
11 ownership of such property, as contemplated by Section 11b,  
12 Article XI of the Oregon Constitution.

13 SECTION 10. ENFORCEMENT AND REMEDIES

14 A. Jurisdiction

15 1. Except as specifically provided in this Ordinance,  
16 the Agency may take enforcement action against any person or  
17 activity in violation of this Ordinance, utilizing any procedure  
18 or remedy provided herein. A culpable mental state is not an  
19 element of any violation of this Ordinance.

20 2. The Agency has concurrent jurisdiction with  
21 incorporated cities within the Agency, over enforcement of this  
22 ordinance within such cities.

23 B. Civil Penalties

24 The Board may by rule establish a schedule of civil  
25 penalties to be assessed against persons who violate this  
26 ordinance.

1 C. Hearings Officer

2 1. The Agency may designate an employee or other person  
3 to hear and determine complaints of violation of this ordinance,  
4 including imposition of civil penalties, issuance of an  
5 administrative cease and desist order, and issuance of an  
6 administrative compliance order, suspension or revocation of any  
7 permit issued under the authority of this Ordinance.

8 2. The Board may provide by rule for procedures for  
9 civil citation, imposition of penalties, notice, hearing, and  
10 decision. Decision of a hearings officer under this section  
11 shall be the final decision of the Agency.

12 D. Abatement

13 1. In addition to other enforcement actions and  
14 remedies which may be available to USA for violation of this  
15 ordinance, the remedy of abatement may be utilized to address the  
16 following:

17 a. Any condition of the privately owned sanitary or  
18 public storm and surface water system which is declared to be a  
19 nuisance under this ordinance;

20 b. Any failure of a privately owned side sewer,  
21 building sewer, septic tank, grease trap, or other structure, to  
22 meet performance standards established under this ordinance;

23 c. Any illegal connection to the public sanitary or  
24 public storm and surface water system;

25 d. Any condition on property which causes, or  
26 threatens to cause, a public health hazard, or a discharge of

1 pollutants to the sanitary system, the storm and surface water  
2 system, or the waters of the state, not otherwise permitted by  
3 this ordinance or appropriate state, federal, or USA permit.

4 2. The General Manager or his authorized representative  
5 shall have the authority to conduct such inspections as deemed  
6 necessary to insure compliance with this ordinance, at any  
7 reasonable hour, to investigate complaints, and to abate a  
8 nuisance or prohibited condition as defined in this section.

9 a. Upon determination by inspection that a nuisance  
10 or other prohibited condition exists, the General Manager or his  
11 authorized representative shall state the substance of this  
12 determination in written form, cause to be delivered to the owner  
13 of the premises and to post on the premises:

14 1) A notice of nuisance or prohibited  
15 condition, describing with reasonable certainty the nature of the  
16 condition, and the action necessary to abate the condition;

17 2) Directing that the condition be abated  
18 within 15 days of the date of the notice;

19 3) Stating that the owner or person in charge  
20 of the property may request a hearing on the abatement order by  
21 filing a written request for hearing within seven (7) days of the  
22 date of the notice.

23 4) Stating that, if the prohibited condition  
24 has not been fully abated within 15 days of the notice, the USA  
25 may cause the prohibited condition to be abated, and may bill the  
26 cost to the property owner.

1           b. If the General Manager determines that the  
2 prohibited condition or nuisance constitutes an imminent threat  
3 to public health or safety he may cause the condition to be  
4 abated, provide notice of the abatement as described in a above  
5 as soon as practicable, and charge the cost of abatement to the  
6 property owner.

7           c. Upon receipt by the Agency of a written request  
8 for a hearing, including the applicable fee, the General Manager  
9 shall set a time and place for a hearing on the abatement order,  
10 which shall be not more than ten days from the date of filing of  
11 the request for hearing, and shall so notify the person  
12 requesting hearing. The owner or person in charge of the  
13 property may present evidence before the General Manager or his  
14 designee pertinent to the prohibited condition or its abatement.  
15 The General Manager or his designee shall also appear and present  
16 evidence pertinent to its abatement. Failure of the person  
17 requesting hearing to appear at the hearing shall constitute a  
18 waiver of the right to a hearing.

19           d. After the hearing the General Manager or his  
20 designee shall enter an order containing his findings as to  
21 whether the alleged nuisance or prohibited condition exists, and  
22 may confirm or extend the time in which the condition is to be  
23 abated. If the nuisance has been abated under subsection b of  
24 this section, the hearing regarding the abatement order may be  
25 combined with the hearing on objection to cost, if any.

26       /////

1 e. If the nuisance or prohibited condition has not  
2 been abated within the time provided in the Notice of Abatement  
3 or as modified at the hearing, the General Manager may cause the  
4 condition or nuisance to be abated. Accurate records shall be  
5 kept of the direct expense for the cost of personnel, real and  
6 personal property, equipment, and materials of the Agency  
7 utilized for the abatement. A surcharge of 25 percent of the  
8 direct cost or such other amount as the Board may establish by  
9 resolution and order shall be added to reflect administrative and  
10 overhead costs. A billing for the amount of said costs shall be  
11 forwarded by registered or certified mail to the owner or person  
12 in charge of the property, or both of them, for full payment.  
13 Payment shall be due within 30 days of the date of mailing.

14 f. If the owner or person in charge of the property  
15 objects to the cost of the abatement, he may file a written  
16 objection, including any applicable fee, with the Agency within a  
17 period not to exceed ten days from the date of the billing. The  
18 General Manager shall set a time and place for hearing the  
19 objection, notify the objector of said time and place, and make  
20 the determination based upon evidence presented at said hearing.  
21 The General Manager's order of determination shall be the final  
22 and binding decision of the Agency.

23 g. After the date payment is due, the cost of  
24 abatement shall be a debt due and owing to the Agency. The  
25 Agency may cause a lien to be filed against the subject property  
26 in the real property records of the appropriate county reflecting

1 the abatement debt. The Agency may proceed to collect the debt  
2 in any manner provided by law.

3 E. Search Warrant

4 Any judge of the State of Oregon may issue a search  
5 warrant upon a sworn affidavit that a violation of this ordinance  
6 has occurred or will occur.

7 F. District Court Enforcement of Violations

8 1. It shall be unlawful and a violation of this  
9 Ordinance for any person to fail to comply with any provision or  
10 requirement of this Ordinance or any Resolution and Order adopted  
11 pursuant thereto.

12 2. In addition to other remedies and enforcement  
13 provisions herein, the District Court shall have jurisdiction of  
14 all violations of this Ordinance. Upon conviction of any person  
15 of a violation of this Ordinance, such person may be punished by  
16 a fine of not more than \$500.00. Each day of a continuing  
17 violation shall constitute a separate violation of this  
18 Ordinance. Nothing contained herein shall in any way limit the  
19 right of the Agency or any other entity, to bring a civil action  
20 for legal, equitable or administrative remedies or damages in  
21 connection with any such violation.

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1       G. Enforcement of Industrial User Standards Through  
2       Administrative and Civil Penalties

3       1. Imposition of Civil Penalties

4           The Agency may impose civil penalties including, but  
5 not limited to, fines, modification or revocation of permits,  
6 and/or cessation of services when any Industrial User:

7           a. fails to factually report the wastewater  
8 constituents and characteristics of its discharge;

9           b. fails to report significant changes in  
10 wastewater constituents or characteristics;

11           c. refuses reasonable access to the User's premises  
12 by representatives of the Agency for the purpose of inspection or  
13 monitoring; or

14           d. violates any condition or provision of its  
15 permit, this ordinance, any rule adopted pursuant hereto or any  
16 final judicial order entered with respect thereto.

17       2. Procedure for Imposition of Civil Penalties

18           a. Whenever the Agency finds that any Industrial  
19 User has engaged in conduct which violates any provision of this  
20 Ordinance, the Agency shall serve or cause to be served upon such  
21 Industrial User a written notice either personally, by office or  
22 substitute service, as those terms are defined in the Oregon  
23 Rules of Civil Procedure, or by certified or registered mail,  
24 return receipt requested, stating the nature of the alleged  
25 violation and the civil penalty contemplated by the Agency.

26       Within 30 days of the date of receipt of the notice, the

1 Industrial User shall respond in writing to the Agency advising  
2 of its position with respect to the allegations. Thereafter, the  
3 parties may meet to ascertain the veracity of the allegations and  
4 where necessary, establish a plan for the satisfactory correction  
5 thereof. Nothing contained in this section shall be deemed to  
6 preclude the Agency, in its sole discretion, from beginning the  
7 show cause proceeding described in Section 10.G.2.b. at any time.

8 b. Show Cause Hearing

9 Where the violation alleged is not corrected  
10 within a reasonable time pursuant to the procedure contained in  
11 Section 10.G.2.a., the Agency may order any Industrial User which  
12 causes or allows the violation alleged to continue, to show cause  
13 before the Agency, its General Manager or other authorized  
14 representative or designee, why the proposed civil penalties  
15 should not be imposed. As used throughout Section 10.G. of this  
16 Ordinance, a "reasonable time" shall be determined in good faith  
17 by the Agency taking into consideration the totality of the  
18 circumstances involved. A written notice shall be served on the  
19 Industrial User by personal service, office or substitute  
20 service, as those terms are defined in the Oregon Rules of Civil  
21 Procedure, or by certified or registered mail, return receipt  
22 requested, specifying the time and place of a show cause hearing  
23 to be held by the Agency or its designee regarding the violation,  
24 the reasons why the enforcement action, including any proposed  
25 civil penalty assessment, is to be taken and directing the  
26 Industrial User to show cause why the proposed enforcement action



1 should not be taken. The notice of hearing shall be served no  
2 less than ten days before the hearing. Service may be made on  
3 any agent, officer, or authorized representative of an Industrial  
4 User. The proceedings at the hearing shall be considered by the  
5 Agency which shall then enter appropriate orders including any  
6 civil penalty being imposed with respect to the alleged improper  
7 activities of the Industrial User. Appeal of such orders may be  
8 taken by the Industrial User as provided in Section 10.G.2.d.  
9 below.

10 c. Schedule of Civil Penalties

11 In addition to any liability, duty or other  
12 penalty provided by law, the Agency, its General Manager or other  
13 authorized representative or designee, as the case may be, may  
14 assess, in conjunction with the show cause proceeding described  
15 above, a civil penalty for any violation contained in Section  
16 10.G.2.a. above, by service of a written notice of assessment of  
17 civil penalty upon the Industrial User as provided in Section  
18 10.G.2.a. above. The amount of such civil penalty shall be not  
19 less than \$100.00 nor more than \$25,000.00 Each day of a  
20 continuing violation shall constitute a separate offense for  
21 purposes of the civil penalties assessable for such violation.

22 d. Appeal

23 1) The decision of the Agency shall be sent to  
24 the Industrial User by registered mail, return receipt requested.  
25 This decision shall be final unless a notice of review from the  
26 Industrial User is received by the Agency within 10 days of the

1 decision of the Show Cause hearing being received by registered  
2 mail by the Industrial User. The signed return receipt of  
3 delivery of the decision by registered mail shall be conclusive  
4 proof for determination of the 10 day appeal period.

5 2) Every notice of review shall contain:

6 (a) A reference to the matter to be  
7 reviewed.

8 (b) A statement of the interest of the  
9 appellant/User.

10 (c) The specific grounds relied upon as to  
11 why the decision being appealed is  
12 improper or erroneous.

13 3) Appeals shall be heard by the Agency Review  
14 Authority designated under Section 8B4 above. Appeals shall be  
15 de novo and not limited to the record below.

16 4) Fees. The notice for review shall be  
17 accompanied by the applicable filing fee.

18 5) The requirements of subsections 1 through 4  
19 above shall be jurisdictional.

20 6) The Review Authority shall have the  
21 authority, upon review, to set aside or modify a civil penalty if  
22 he finds, based upon the evidence presented, that a violation of  
23 the ordinance did not occur, that the appellant sustained an  
24 operational upset as defined in this ordinance, or that another  
25 penalty is appropriate under all the circumstances.

26 /////

1                   7) The Industrial User may appeal the decision  
2 of the Review Authority to the Board of Directors in the manner  
3 provided in paragraphs 1 - 6 of this subsection.

4                   e. Enforcement of the Civil Penalty

5                   1) Any civil penalty imposed shall be paid in  
6 full within fifteen (15) days of the date the imposition is  
7 final. Payment shall be made either in cash or by certified  
8 check made payable to the Agency, and submitted to the Agency's  
9 General Manager.

10                   2) If full payment is not made within such  
11 15-day period, the Agency may commence further proceedings under  
12 this ordinance for such violation. Alternatively, counsel for  
13 the Agency may, following the authorization of such action by the  
14 Board, commence an action for appropriate legal and/or equitable  
15 relief in the Circuit Court.

16                   f. Emergency Suspension of Service and Permits

17 Notwithstanding any other provision of this ordinance, the Agency  
18 may suspend the wastewater treatment service and/or the sewer  
19 permit of an Industrial User when it appears to the Agency that  
20 an actual or threatened discharge presents or may present an  
21 imminent or substantial danger to the health or welfare of  
22 persons or to the environment, interferes with the operation of  
23 the Agency's sewage system or violates any pretreatment limits  
24 imposed by this ordinance, any rule adopted or any permit issued  
25 pursuant hereto, or any other applicable law. The suspension  
26 notice shall be served upon the Industrial User by personal,

1 office or substitute service, as those terms are defined in the  
2 Oregon Rules of Civil Procedure, or by certified or registered  
3 mail, return receipt requested, unless the emergency nature of  
4 the suspension makes service impracticable. Any Industrial User  
5 notified of the suspension of the Industrial User's permit and/or  
6 service, shall within a reasonable period of time, as determined  
7 by the Agency and specified in the suspension notice, cease all  
8 discharges. In the event of failure by the Industrial User to  
9 comply voluntarily and timely with the notice of suspension, the  
10 Agency may immediately seek a temporary restraining order in the  
11 Circuit Court to compel compliance and thereafter may proceed  
12 judicially or administratively as set forth in this ordinance or  
13 otherwise to insure compliance with this ordinance. The Agency  
14 may reinstate the permit and/or service of the Industrial User  
15 and may terminate, in its discretion, any proceedings brought  
16 upon proof by the User of the elimination of the noncomplying  
17 discharge or conditions creating the threat of imminent or  
18 substantial danger as set forth above.

### 19 3. Operation Upsets

20 Any Industrial User which experiences an upset in  
21 operations which places the Industrial User in a temporary state  
22 of noncompliance with this ordinance, any rule adopted, or permit  
23 issued pursuant hereto shall inform the Agency thereof as soon as  
24 practicable but no later than 24 hours of first awareness of the  
25 commencement of the upset. Where such information is given  
26 orally, a written follow-up report thereof shall be filed by the

1 Industrial User with the Agency within five days. The report  
2 shall include the following:

3 a. Description of the upset, the cause thereof and  
4 the upset's impact on an Industrial User's compliance status.

5 b. Duration of noncompliance, and if the  
6 noncompliance continues, the time by which compliance is  
7 reasonably expected to occur.

8 c. All steps taken or to be taken to reduce,  
9 eliminate and prevent recurrence of such an upset or other  
10 conditions of noncompliance.

11 A documented, verified and bona fide operation  
12 upset, including good faith and reasonable remedial efforts to  
13 rectify the same, shall be an affirmative defense to any  
14 enforcement action brought by the Agency against an Industrial  
15 User for any noncompliance with this ordinance or any rule  
16 adopted or permit issued pursuant hereto, which arises out of  
17 violations alleged to have occurred during the period of the  
18 upset.

19 SECTION 11. SEVERABILITY

20 If any section, subsection, provision, clause, or paragraph  
21 of this Ordinance, or rules adopted pursuant hereto, shall be  
22 adjudged or declared to be unconstitutional or invalid by any  
23 court of competent jurisdiction, such judgment shall not affect  
24 the validity of the remaining portions of this Ordinance or such  
25 rules; and it is hereby declared that every other section,

26 /////

1 subsection, provision, clause, or paragraph is and shall remain  
2 in effect irrespective of the validity of any other provision.

3 SECTION 12. JUDICIAL REVIEW

4 Final decisions of the Board, the General Manager, the  
5 Agency, or its designated review authority under this Ordinance  
6 shall be reviewable solely and exclusively under the provisions  
7 of ORS 34.010 through 34.100.

8 SECTION 13. REPEAL; SAVINGS; DECLARATION OF EMERGENCY

9 Ordinance Nos. 21 and 24 are hereby repealed, provided  
10 however, that all resolution and orders, (including but not  
11 limited to Resolution and Order Nos. 90-63, 91-47 as amended, and  
12 92-60) rules, permits, enforcement actions, fees, and other  
13 actions of the Agency undertaken pursuant to such ordinances  
14 shall remain in full force and effect unless expressly repealed,  
15 superseded or amended. All such actions of the Agency and any  
16 violations of Ordinance Nos. 21 and 24 prior to the effective  
17 date of this Ordinance shall be continued under, and shall be  
18 subject to enforcement under this Ordinance.

19 SECTION 14. DECLARATION OF EMERGENCY

20 This Ordinance being necessary for the immediate  
21 preservation of public health, safety, and welfare of the  
22 citizens of the Unified Sewerage Agency, an emergency is hereby

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declared to exist, and this Ordinance shall take effect upon its passage.

ENACTED this 19th day of April, 1994, being the date of the fifth reading and third public hearing before the governing body of the Unified Sewerage Agency of Washington County, Oregon.

ADOPTED

UNIFIED SEWERAGE AGENCY OF  
WASHINGTON COUNTY, OREGON  
By the Board of County Commissioners of  
Washington County, Oregon,  
As Its Governing Body

Donnie L. Hays  
Chairman

Barbara Hejzmanek  
Recording Secretary

READING

PUBLIC HEARING

1	<u>March 15, 1994</u>	<u>April 5, 1994</u>
2	<u>March 22, 1994</u>	<u>April 12, 1994</u>
3	<u>April 5, 1994</u>	<u>April 19, 1994</u>
4	<u>April 12, 1994</u>	
5	<u>April 19, 1994</u>	

VOTE: AYE Hays, Christy, Rogers, Katsion, Peters

NAY —

Barbara Hejzmanek  
RECORDING SECRETARY

DATE April 19, 1994