

ORDINANCE NO. 01-1

AN ORDINANCE FOR THE LAPINE SPECIAL SEWER DISTRICT SEWERAGE SYSTEM REGULATING THE USE AND EXPANSION OF THE PUBLIC SEWER, THE DRAINS, THE INSTALLATION, AND CONNECTION OF BUILDING SEWERS, THE DISCHARGE OF WATER AND WASTES INTO THE PUBLIC SEWER SYSTEM; PROVIDING PENALTIES FOR VIOLATION THEREOF; REPEALING ORDINANCES NOS. 1, 88-1, 87-3, 88-4, 88-7, AND 89-2; AND DECLARING AN EMERGENCY

THE LAPINE SPECIAL SEWER DISTRICT DOES ORDAIN AS FOLLOWS:

SECTION 1: SHORT TITLE:

This ordinance shall be known as LaPine Special Sewer District (District) System Use and regulation ordinance.

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SECTION 3. DEFINITIONS:

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- 3.1. Board: The Board of Directors of the LaPine Special Sewer District, a sanitary District within Deschutes County, formed pursuant to ORS.450.045 to 450.060, and ORS.198.825.
- 3.2. "BOD" (denoting Biochemical Oxygen Demand): The quantity of oxygen utilized in the biochemical oxidation of organic matter under a standard laboratory procedure in 5 days at 20 degrees Celsius expressed in milligrams per liter (mg/L).
- 3.3. Building Drain: The building drain is that part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning two (2) feet (.6M) outside the building wall.
- 3.4. Building Sewer: The building sewer is that part of the horizontal piping of a drainage system which extends from the end of the building drain and which receives the discharge of the building drain and conveys it to a public sewer, private sewer, individual sewage disposal system or other point of disposal.
- 3.5. Building Official: The Deschutes County Building Official Chair or his/her appointed representative.
- 3.6. County: Deschutes County, Oregon.
- 3.7. District: The LaPine Special Sewer District, a sanitary District within Deschutes County, Oregon, formed pursuant to ORS198.705 to ORS198.955.
- 3.8. Chair: The presiding officer of the Board of Directors of the District.
- 3.9. Easement: an acquired legal right for the specific use of land owned by others.
- 3.10. Floatable Oil: Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.
- 3.11. Garbage: Shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- 3.12. Industrial Wastes: The wastewater from industrial processes, trade, or businesses, as distinct from domestic or sanitary wastes.
- 3.13. May: Is permissive.

- 3.14. Natural outlet: Any outlet, including combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- 3.15. Owner: (1) A person with a legal right of possession to real property; (2) one who is recognized and held responsible by law as the owner of real property; (3) including a purchaser under a land sales contract.
- 3.16. Person: Any individual, firm, company, association, society, corporation, or group.
- 3.17. pH: The logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .
- 3.18. Practical Route: That route determined by the Board Chair to be economically feasible.
- 3.19. Properly Shredded Garbage: The wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in the building drain, with no particle greater than $\frac{1}{2}$ inch in any dimension.
- 3.20. Public Sewer: The LaPine Special Sewer District Sewerage System, also referred to as System, or Sewerage System, including septic tanks, pumping facilities, service lines, system piping and control panels, and street sewer. The term 'public sewer' includes STEP, STE systems, and electrical systems.
- 3.21. STEP System: A septic tank effluent pumping system. A service connection using a pump within a septic tank to convey effluent to the street sewer.
- 3.22. STE System: A septic tank effluent system. A service connection using a septic tank and gravity effluent sewer to convey effluent to the street sewer.
- 3.23. Sanitary Sewer: A sewer that carries liquid and water carried wastes from the residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
- 3.24. Service Connection: A septic tank and service line installed on property to connect the septic tank serving the structures thereon to the system piping. Unlike a lateral of a main or a main, service lines are not designed or intended to receive effluent flow from structures other than those structures with wastewater plumbing existing on the property when the lines were installed.
- 3.25. Sewage: Water-carried human wastes, including kitchen, bath, and laundry waste from residences, buildings, industrial establishments, or other places, together

with such groundwater infiltration, surface waters, or industrial waste as may be present.

- 3.26. Sewer: A pipe or conduit that carries wastewater or drainage water.
- 3.27. Shall: Is mandatory.
- 3.28. Slug: Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow shall adversely affect the collection system or performance of the wastewater treatment works.
- 3.29. Storm Sewer (or "Storm Drain"): A drain or sewer for conveying storm water, groundwater, subsurface water, or unpolluted water from any source.
- 3.30. Street Sewer: A sewer not located upon private property.
- 3.31. Suspended Solids: Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater".
- 3.32. System Piping: The main transmission lines and its laterals which collect wastewater from service lines.
- 3.33. Unpolluted Water: Water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.
- 3.34. Vacant Property: Property, at the time of the sewer system construction, on which there exists no structures; or on which there exists no habitable structures, and for which there is no apparent active owner.
- 3.35. WPCF: Water Pollution Control Federation.
- 3.36. Wastewater: Same meaning as sewage.
- 3.37. Wastewater Facilities: The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent. Wastewater facilities include the septic tanks, pumping facilities, service lines, system piping, and control panels.
- 3.38. Wastewater Treatment Works: An arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "wastewater treatment plant" or "water pollution control plant".

3.39. Water Course: A natural or artificial channel for the passage of water either continuously or intermittently.

SECTION 4. USE OF PUBLIC SEWERS REQUIRED

4.1. It shall be unlawful to discharge to any natural outlet, or to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the LaPine Special Sewer District, or in any jurisdiction of said District, any sewage, industrial wastes, or other polluted waters, any human excrement, garbage, or other objectionable waste, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

4.2. Except as hereinafter provided, it shall be unlawful to construct or use any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

4.3. The owners of all property within the boundaries of the LaPine Special Sewer District are hereby required, in accordance with the provisions of this ordinance and within sixty (60) days after date of official notice to do so, to connect the wastewater plumbing of any house, building or structure now existing or subsequently developed, to the System when any system piping, initially constructed or extensions thereafter, is located within six hundred (600) feet along the practical route to such house, building or structure.

4.4. a. Proceedings to extend system piping to an owner or owners of property within the boundaries of the LaPine Special Sewer District who did not connect the wastewater plumbing of any house, building or other structure to the system because the system piping was not within 600 feet as provided in Sec. 4.3 may be initiated by resolution of the Board. Provided however, that such owner or owners may request the Chair for connection to the system by a service line or lines. If such request is granted, the requesting owner shall pay the prevailing connection fee plus the actual costs of installing any piping beyond 300 feet from the system piping. If the Chair determines, however, that extension by service lines is unfeasible or otherwise unwarranted because an extension of system piping is called for, he/she shall not grant the request and shall advise the requesting owner(s) to petition the Board for an extension of system piping.

b. The Board may extend system piping beyond District boundaries if, after a hearing, it finds such extension conforms to any applicable comprehensive land use plan.

SECTION 5. PRIVATE WASTEWATER DISPOSAL

5.1. Where a public sanitary sewer is not available under the provisions of Sec. 4.3, the building sewer shall be connected to a private wastewater disposal system complying with State, County and local law, including the subsurface sewage disposal regulations of the State of Oregon Department of Environmental Quality.

5.2. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer within one year after the date official notice from the District to connect and comply with this ordinance, except where and when time extensions are granted by the District Board. The septic tanks, cesspools, and similar private wastewater disposal facilities previously utilized shall be abandoned, cleaned of sludge and filled with suitable material in accordance with State, County and local laws, ordinances, rules and regulations. or removed or crushed.

Time extensions may be granted on a case-by-case basis, in the Board's sole discretion, after consideration of the following criteria:

- a. The size, location and elevation of the property,
- b. The condition of the private disposal system,
- c. The length of the extension under consideration, and
- d. Such other criteria as the District Board may deem appropriate, upon consultation with the District engineer.

SECTION 6. SEWER, CONNECTIONS, AND DESIGN

6.1. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the District.

6.2. Written permits for installation of a service connection issued by the District shall reference District Standards for materials and workmanship. Such standards shall be available for public review. The permittee shall install the service connection in accordance with these standards for materials and workmanship. The permittee must obtain District certification that the installation conforms to District standards, prior to placing the system in use.

6.3. There shall be three classes of written permits:

- a. Single family residential;
- b. Commercial, multi-family (including mobile home parks or any other service which will use a septic tank utilized by more than one building, structure,

or mobile home, or which will have a flow exceeding the equivalent flow of a single family residence); and

c. Establishments producing industrial wastes.

The owner(s) or its agent shall make application on a special form furnished by the District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Chair, and shall be accompanied by a properly executed easement approved by the Chair which permits access by the District to owner's property for the purpose of installing, constructing, maintaining, and inspecting service lines, and septic tanks serving owner's property.

6.4. No permit shall be issued under this ordinance for vacant property. Vacant property means property with no improvements located upon it, or property which has improvements upon it but no need for plumbing.

6.5. a. All costs and expenses incidental to the installation and connection of a building sewer shall be borne by the owner(s). The owner(s) shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

b. Installation and connection costs and expenses may be paid in installments and assessed against owner's(') property, pursuant to ORS 454.805, where:

(1) The District makes financing for the installation costs available to owner(s); and

(2) The District determines that owner(s) may apply to pay the assessments in installments, as provided in ORS 223.205 to 223.314, subject to a reasonable penalty for prepayment of assessment installments.

c. Where, in the case of hardship, owner(s) agree in writing that the District may assess the total installation and connection costs, plus interest, to the benefitted property, to be paid upon either foreclosure or sale of the property, immediate payment of such costs may be waived and the entire determination of a hardship will be based upon the District Board's consideration of:

(1) The financial resources of owner(s) and the burden that payment of installation costs will impose, with due regard to owner's(') other obligations; and

(2) The extent to which such burden can be alleviated by waiving immediate payment and assessing the total amount against the benefitted property.

6.6. No person(s) shall make connection of roof downspouts, foundations drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer, unless such connection is approved by the Chair in writing for purposes of disposal of polluted surface drainage. Otherwise, no intentional infiltration or inflow shall be permitted.

6.7. To the extent reasonably possible, all excavations for sewer installation shall be adequately guarded with barricades and lights so as to protect from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

6.8. Upon the sale of a subdivided or partitioned parcel with a house, building, or structure utilizing a septic tank common to another house, building, or structure which was not included in the sale or located on the parcel after division, another septic tank and proper piping shall be installed so that each parcel has independent sewerage facilities.

6.9. With each application for a permit or for an application to provide sewers to a subdivision, the applicant shall submit to the Chair one set of plot plans showing the general layout of the proposed development at a scale no smaller than 1" = 100', and showing the following:

- a. Name of owner;
- b. Name of person who prepared plans;
- c. Property line and both existing and proposed layout;
- d. Building sewers or sewer connections and their distance from system piping;
- e. Existing and proposed water lines and other underground utility lines;
- f. Buildings;
- g. Streets, if any;
- h. Existing private sewage disposal systems; and
- i. Scale used.

SECTION 7. BUILDING SEWER PLUMBING

- 7.1. Existing building sewers may be used in connection with the new buildings only when they meet all requirements of the applicable plumbing code.
- 7.2. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the State of Oregon.
- 7.3. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the septic tank, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- 7.4. The connection of the building sewer into the septic tank shall conform to the requirements of the applicable plumbing code. All such connections shall be made gas-tight and water-tight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Chair and/or building official before installation.
- 7.5. The permit applicant shall notify the building official when the building sewer is ready for inspection and connection to the septic tank. The connection and testing shall be made under the supervision of the Deschutes County building official or his/her representative.
- 7.6. Plumbing within newly constructed houses, buildings, or structures shall be so oriented, unless otherwise approved by the Chair and building official, as to allow the building sewer to stem from the side closest to the system piping.

SECTION 8. USE OF PUBLIC SEWERS

- 8.1. The first part of the public sewer system is a septic tank. All discharge to the public sewer system shall first pass through such device.
- 8.2. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer.
- 8.3. No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
 - a. Any gasoline, benzene, naptha, fuel, oil, or other flammable or explosive liquid, solid, or gas;

- b. Any waters containing toxic or poisonous solids, liquids, or gases in sufficient concentration, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, or create a public nuisance, or create any hazard in the receiving waters of the wastewater facilities;
- c. Any waters or wastes having a pH lower than 5.5 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater facilities;
- d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, or milk containers, etc., either whole or ground by garbage grinders;
- e. Ceramic dusts or particles or other abrasive substances; and
- f. Any water received through infiltration or inflow.

8.4. The following described substances, materials, waters, or waste shall be limited in discharges to the System to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Chair may set more restrictive limitations than those established below if, in the Chair's opinion, such limitations are necessary to meet the above objectives. In forming his/her opinion, the Chair will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, construction materials of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The following limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer shall not be violated without approval of the Chair:

- a. Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius);
- b. Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin;
- c. Wastewater from industrial plants containing floatable oils, fat, or grease;

- d. Any garbage that has not been properly shredded. Garbage grinders are discouraged;
 - e. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Chair for such materials;
 - f. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Chair;
 - g. Any radioactive wastes or isotopes of such half-life or concentration exceeding applicable state or federal regulation limits;
 - h. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein;
 - i. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters; and
 - j. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- 8.5. If any waters or wastes are discharged or are proposed to be discharged to the public sewers which waters contain the substances or possess the characteristics enumerated in Sec. 8.4, the Chair may:
- a. Reject the wastes;
 - b. Require pretreatment to an acceptable condition for discharge to the public sewers;
 - c. Require control over the quantities and rates of discharge; and/or
 - d. Require payment to cover the added costs of handling and treating the wastes not covered by sewer charges.

When considering the above alternatives, the Chair shall give consideration to the economic impact of each alternative on the discharger. If the Chair permits

pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Chair.

- 8.6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Chair, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Chair, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Chair. Any removal and hauling of the collected materials not performed by owner(s)' personnel must be performed by currently licensed waste disposal firms.
- 8.7. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his/her expense.
- 8.8. When required by the Chair, the owner(s) of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Chair. The structure shall be installed by the owner at his/her expense and shall be maintained by him/her so as to be safe and accessible at all times.
- 8.9. The Chair may require an applicant or holder of a class 6.3.b or 6.3.c permit to provide information needed to determine compliance with this ordinance. These requirements may include:
 - a. Wastewaters discharge average, peak rate, and volume over a specified time period;
 - b. Chemical and biological analysis of wastewaters sampled at specified times, locations, durations, and frequencies;
 - c. Information on raw materials, processes, and products affecting wastewater volume and quality;
 - d. Quantity and disposition on specific liquid, sludge, oil, solvent, or other materials important to sewer use control;

- e. A plot plan of sewers on the user's property showing sewer and pretreatment facility location;
- f. Details of wastewater pretreatment facilities; and/or
- g. Details of system to prevent and control the losses of materials through spills to the public sewer.

8.10. All measurements, tests, and analysis of the characteristics of water and wastes to which reference is made above shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage". Sampling methods, location, times, and durations and frequencies are to be determined on an individual basis, subject to approval by the Chair.

8.11. No statement contained in Section 8 of this ordinance shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefore by the industrial concern.

SECTION 9. PROHIBITIONS

9.1. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is part of the wastewater facilities or drive a motor vehicle over any septic tank not rated for traffic loading.

9.2. No person shall excavate within any area subject to a recorded easement granting the District access and installation rights for wastewater facilities without first obtaining a permit to do so from the Chair.

9.3. No person shall place any structure whatsoever over any facilities without first obtaining a permit to do so from the Chair.

SECTION 10. POWERS & AUTHORITY OF INSPECTORS

10.1. The Chair or other duly authorized employees or agents of the District, bearing proper credentials and identification, shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

SECTION 11. APPEALS PROCEDURE

- 11.1 Any person aggrieved by a ruling under or interpretation of the provisions of this ordinance may submit a written appeal to the Chair. The appeal shall set forth the events and circumstances leading to the appeal, the nature of the ruling or interpretation from which relief is sought, the nature of the impact of the ruling on appellant's property or business, together with any reasons for the appeal.
- 11.2. The Chair shall submit such appeal together with his/her recommendations to the Board which shall forthwith appoint a committee of three (3) Board members to study the matter, hear testimony if necessary, and prepare a written decision based upon its finding which shall be sent to the appellant and to the full Board within thirty (30) days.
- 11.3. In the event that the appellant considers that his/her grievance has not been handled to his/her satisfaction by the Committee, he/she may apply to the Board for an independent review of his/her case by the Board within thirty (30) days from the date of the written decision of the Committee. The Committee shall forward to the Board its entire file on the case for review of the case. The Board shall, in no more than thirty (30) days from receipt of the application, prepare a written decision on the matter which shall be sent to the applicant and to the Committee.
- 11.4. Decisions of the Board shall be reviewable by the Circuit Court, the State of Oregon for Deschutes County solely and exclusively under the provisions of ORS 34.010 to 34.100.

SECTION 12. PENALTIES

- 12.1. If any person shall construct a public sewer in violation of this ordinance, the Chair may issue an order to such person to stop work in progress which is not then in compliance with this ordinance, or the Chair may issue an order to correct work which has been performed. Such person shall forthwith take such action as may be necessary to comply with such order and with this ordinance, all at the expense of such person.
- 12.2. The Chair may order the owner(s) of any property from which prohibited discharges are entering any sewer to correct such condition. The Chair shall first give written notice of such prohibited discharge to the person. If such person fails to correct such condition within ten (10) days after receipt of such notice, the Chair may enter upon such property and remove or close sewer connections as hereinafter provided.

Any person discharging any material deemed to be dangerous, injurious to treatment processes, hazardous to any person, structure or treatment unit may be subject to immediate discontinuance of sewer service without prior notice at the discretion of the Chair. The Chair shall have the right to enter upon the person's property to remove or close sewer connections as hereinafter provided.

12.3. Any person found to be violating any provision of this ordinance shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Any person who shall continue any violation beyond the time limit provided for in Sec. 12.2, or the time limit provided in written notice required by this Section, shall be guilty of an infraction, and on conviction thereof, shall be fined in an amount not exceeding one hundred dollars (\$100.00) for each violation. Each day in which any violation shall continue shall be deemed a separate offense.

Any person violating any of these provisions of this ordinance shall be liable to the District for any expense, loss or damage occasioned by the District by reason of such violation.

The District reserves the right to injunctive relief against violation of any of the provisions of this ordinance.

12.4. Conformance with this ordinance shall in no way be a substitute for or eliminate the necessity of conforming with any and all state and county laws, ordinances and rules and regulations which are now or may in the future be in effect relating to the public health.

SECTION 13. REPEAL CLAUSE

13.1. Ordinance Nos. 1, 87-3, 88-1, 88-4, 88-7, 89-2, and other ordinances or parts thereof duplicating and/or inconsistent with this ordinance are hereby repealed.

SECTION 14. EMERGENCY

14.1. This Ordinance being deemed necessary by the Board of the LaPine Special Sewer District for the immediate preservation and protection of the public peace, health, safety, and general welfare of the LaPine Special Sewer District, Deschutes County, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect upon its passage.

PASSED AND ADOPTED by a 2 vote for and a 0 vote against by the LaPine Special Sewer District Board of Directors, this 13th day of December 2001.

Board Chair

ATTEST:

Board Secretary