

DISTRICT BOARD
SUNDOWN SANITARY DISTRICT

ORDINANCE NO.) AN ORDANCE
) ESTABLISHING
2004-12-2) RULES, REGULATIONS, RATE
) CHARGES AND CONDITIONS FOR
) SEWER SERVICE AS AUTHORIZED
) BY ORS 198.550(3).

The District Board of SUNDOWN SANITARY DISTRICT ordains as follows:


ARTICLE ONE. **PURPOSE, AUTHORITY, POLICY,
PROCEDURE AND CONSTRUCTION OF
THIS ORDINANCE.**

1.1 Purpose. The District provides a valuable public service by providing a sewer system within the District limits. These sewer facilities constitute a public utility owned and operated by the District. The utility exists for the benefit of any person within the District who is required to use the system for disposing of sewage.

1.2 Authority. Pursuant to ORS 450.130, the Sundown Sanitary District is authorized to enforce sewer rules and regulations and the District Board hereby approves the following rules and regulations and sets the sewer rates.

1.3 Policy. Users of the sewer system should be charged rates that reflect the operation of this system as a public utility in the District. Persons who are not required to use the sewer utility shall not pay monthly utility rates. Use of the sewer system occurs when a physical hookup to the sewer district system occurs or is required.

1.4 Procedure. The rate structure of the sewer utility should be based upon a fee for service consistent with the purpose and policy stated above. This rate structure is intended to constitute a service charge based on a fixed rate or equivalent dwelling units attributable to the user, even if it is viewed as a charge against property or against a person as a direct consequence of ownership of that property. Similarly, the utility rate structure should reflect the full actual direct and indirect costs of providing the service.

Certified True Copy
by:  12/21/2004
Walt Postlewait, Board Secretary

1.4.1 Construction. This Ordinance shall be construed most favorably to provide all necessary authority to carry out the above purposes, policies and authority and the below designated rules, regulations and rates.

ARTICLE TWO.

SEWER REGULATIONS.

2.1 Definitions.

2.1.1 "District" shall mean the Sundown Sanitary District and its authorized agents or representatives.

2.1.2 "BOD" (denoting biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degree C, expressed in milligrams per liter.

2.1.3 "Building Drain" shall mean that part of the lowest horizontal 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 five (5) feet (1.5 meters) outside the innerface of the building wall.

2.1.4 "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

2.1.5 "Combined Sewer" shall mean a sewer that is designated as a sanitary sewer and a storm sewer.

2.1.6 "Customer" shall mean a person, corporation, association or agency who is receiving public water service, is required to connect to the District sewer and is receiving sewer service.

2.1.7 "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

2.1.8 "Industrial Waste" shall mean the liquid waste from industrial manufacturing processes, trade or business as distinct from domestic type sewage.

2.1.9 "Natural Outlet" shall mean any outlet into a water course, pond, ditch, lake or other body of surface or ground water.

2.1.10 “Person” shall mean any individual, firm, company, association, society, corporation or group.

2.1.11 “pH” shall mean the logarithm of the reciprocal of the weight of oxygen ions in grams per liter of solution.

2.1.12 “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking, and dispensing of food that had been shredded to such a degree that all particles will be freely carried under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1.27 centimeters) inch in any dimension.

2.1.13 “Public Sewer” shall mean a sewer in which all owners of abutting properties within the District have equal rights and is controlled by public authority.

2.1.14 “Sanitary District Superintendent” shall mean the person assuming the duties of superintendent for the District or an authorized deputy, agent or representative.

2.1.15 “Sanitary Sewer” shall mean a conduit intended to carry liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm or surface water that are not intentionally admitted.

2.1.16 “Sewage” shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present that are not intentionally admitted.

2.1.17 “Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

2.1.18 “Sewage Works” shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

2.1.19 “Sewer” shall mean a pipe or conduit for carrying sewage.

2.1.20 “Shall” is mandatory; “may” is permissive.

2.1.21 “Slug” shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity or if flow exceeds for any period of duration longer than 15 seconds, more than five times the average 24 hour concentration or flows during normal operation.

2.1.22 “Storm Sewer” (sometimes termed “storm drain”) shall mean a sewer designed to carry only storm waters, surface runoff, street washwaters and drainage.

2.1.23 “Suspended Solids” shall mean solids that are either flat on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

2.1.24 “Watercourse” shall mean a channel in which a flow of water occurs either continuously or intermittently.

2.2 Use of Public Sewer Required.

2.2.1 No person shall deposit or permit to be deposited in an unsanitary manner upon public or private property within the District, or in any area under the jurisdiction of the District, any human or animal excrement, garbage or other objectionable waste that has not been properly treated according to Oregon State Department of Environmental Quality standards.

2.2.2 No person shall discharge to any natural outlet within the District, or in any area under the jurisdiction of the District, any untreated sanitary sewage, industrial wastes, or other polluted waters.

2.2.3 The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the District and abutting on any street, right-of-way or roadway in which there is now located or may in the future be located, a public sanitary sewer of the District, are hereby required at their expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of these rules and regulations adopted by the District regulating the use of public sewers within 90 days after such facilities become available, provided that said public sewers are within 500 feet of the property line. Provided, however, when properties within the district have an existing private sewage disposal system that is meeting Oregon State Department of Environmental Quality standards the property owners have the option of maintaining a private system until such time

that more than routine maintenance is required to keep the private system complainant with Oregon State Department of Environmental Quality standards.

2.2.4 If the owner fails to connect to the sewer as required, or fails to pay the connection and tapping charge when due, the District may pursue all legal remedies until the connection is made and the charge paid.

2.2.5 Except as herein 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.

2.3 Building Sewers and Connections

2.3.1 No authorized person 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.

2.3.2 There shall be two (2) classes of building sewer permits:

- a. For residential and commercial services; and
- b. For service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application for service 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 District. Fees are set forth in Section 2.8.

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

2.3.4 A separate and independent building sewer shall be provided for each residential unit within a condominium and for each residential building. Each commercial or industrial building shall have a separate and independent building sewer.

2.3.5 An old building sewer may be used in connection with new buildings only when they are found, on examination and test by the District to meet all requirements of this section.

2.3.6 The connection of the building sewer into the public sewer shall be made at a "Y" branch or "T" if such fitting is available at a suitable location. If no fitting is available, a tap will be made using a tapping saddle. Where no properly located "Y" branch or "T" is available, the tap will be made by the District for a tapping charge as given in Section 2.8 or by a state licensed plumbing contractor. If the connection is made by a contractor, the contractor shall have the connection inspected by the District prior to backfilling.

2.3.7 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Public property disturbed in the course of the work shall be restored within a reasonable time in a manner satisfactory to the District or the governmental entity having authority over the public property disturbed.

2.3.8 The owner/user of any private or public sewer shall be totally responsible for maintenance to the point of connection with a public sewer.

2.3.9 The size, slope, alignment, materials or 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 District. In the absence of code provisions or in amplification thereof, the material and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F Manual of Practice No. 9 shall apply.

2.3.10 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 public sewer facility, sanitary sewage carried by such building drains shall be lifted by an approved means and discharged to the building sewer.

2.3.11 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the District, or the procedures set forth in the appropriate specifications of the A.S.T.M. and the W.P.C.F Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the

prescribed procedures and materials must be approved by the Sanitary District Superintendent before installation.

2.3.12 The applicant for the building sewer permit shall notify the District Office when the building sewer is ready for inspection and connection to the public sewer. The connection, if made by a contractor, shall be inspected by the Sanitary District Superintendent or his representative prior to backfilling.

2.4 Use of Public Sewers

2.4.1 No person shall discharge or cause to be discharged any storm water, surface water, ground water or roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

For new construction and extensive remodeling, all discharge as listed above, will be piped separately to the street right-of-way line or other type of disposal facility exclusive of the sanitary sewer.

2.4.2 Storm water and all other unpolluted drainage shall be discharged to facilities other than the sanitary sewer.

2.4.3 No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- a. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- b. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

- c. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- 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 sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

2.4.4 No persons shall discharge or cause to be discharged the following described substances, materials, waters or waste if it appears likely in the opinion of the Sanitary District Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Sanitary District Superintendent or the owner of sewage treatment plant will give consideration to such factors as to quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, the requirements and regulations of the owner of the sewage treatment plant and other pertinent factors. The substances prohibited are:

- a. Any liquid or vapor having a temperature higher than 150 degrees F (65 degree C).
- b. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/1 or containing substances which may solidify or become viscous at temperatures between 32 degrees and 150 degrees F (0 and 65 degrees C).
- c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower

(0.76 hp metric) or greater shall be subject to the review and approval of the Sanitary District Superintendent.

- d. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- e. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment plant exceeds the limits established by the treatment plant owner for such materials.
- f. Any waters or wastes containing phenols or other taste-or-odor-producing substance, in such concentrations exceeding limits which may be established by the Sanitary District Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the owner of the treatment plant, State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Sanitary District Superintendent in compliance with the owner of the sewage treatment plant, State or Federal regulations.
- h. Any waters or wastes having a pH in excess of 9.5.
- i. Materials which may exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

- (2) Excessive discoloration (such a, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of low or concentration of wastes constituting "slugs" as defined herein.
- j. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plan effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

2.4.5 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 paragraphs 2.4.3 and 2.4.4 of this section, or which in the judgment of the Sanitary District Superintendent may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Sanitary District Superintendent 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 according to Section 2.9.

If the Sanitary District Superintendent permits the 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 Sanitary District Superintendent and subject to the requirements of all applicable codes, ordinances and laws.

2.4.6 Grease, oil and sand interceptors shall be provided when, in the opinion of the Sanitary District Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not normally be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Sanitary District Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

2.4.7 Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

2.4.8 When required by the Sanitary District Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Sanitary District Superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

2.4.9 All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest version of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association and shall be determined at the control manhole provided, or upon suitable samples taken at such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a 24 hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples shall be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls whereas pHs are determined from periodic grab samples.)

2.5 Protection from Damage

2.5.1 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 District Sewage Works. Any person violating this provision shall be subject to immediate arrest. The utility shall be reimbursed by the offender for any such damage promptly, upon presentation of a bill, along with any other compensation due.

2.6 Powers and Authority of Inspectors

2.6.1 Duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of these rules and regulations.

2.7 Penalties

2.7.1 Any person found to be violating any provisions of these rules and regulations except Section 2.5 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 time period stated in such notice, permanently cease all violations.

2.7.2 Any person who shall continue to violate beyond the time limit provided for in Section 2.7.1 shall be guilty of a misdemeanor. Each day in which any such violation shall continue shall be deemed a separate offense.

2.7.3 Any person violating any of the provisions of these rules and regulations shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation including attorney fees and expert witness costs for investigation and/or trial and on appeal.

2.8 Connection and Tapping Charges

2.8.1 Each permit application shall be accompanied by the payment in full of the connection charge determined according to the schedule below. The

amount of the connection deposit is determined on a basis of the water meter size required to meet the occupancy requirements.

2.8.2 The connection charge shall be as follows:

<u>Size of Water Meter</u>	<u>Connection Charge</u>
1-1/2" or less	\$ 1,500.00
2"	\$ 2,160.00
3"	\$ 4,450.00
4"	\$ 6,210.00
6"	\$12,400.00
8"	\$21,600.00
10"	\$28,350.00

Connection charges for meters larger than 10" shall be determined by the District Board.

2.8.3 Actual taps of the District sewer shall be performed by the District or an authorized contractor. The tapping charges are based upon the actual cost of labor, materials, and administration.

An estimate of the tapping charge shall be paid as a deposit prior to the tap.

2.8.4 The applicant shall make the excavation, with proper shoring, to the District sewer. The District will inspect the excavation prior to the District or contractor performing the actual tap.

2.9 Sewer Service Charge

2.9.1 The owner, lessee, or agent of any premises connected to the District sewer system, except those producing wastes as described in 2.4 shall pay a sewer service charge as follows:

- a. The monthly service charge shall be \$35.00 per single family dwelling equivalency (equivalent dwelling unit "EDU") effective upon availability of the sewer and connection thereto.

2.9.2 Those premises producing wastes as described in 2.4 which the District is willing to accept, shall pay the rate set forth in 2.9.1 above plus any additional costs of handling and treating the wastes not covered by existing sewer charges.

a.

2.10 Billing Procedures

2.10.1 The Sundown Sewer District will issue a monthly billing at the beginning of each month. Payments not received by the 15th of each month will be considered late. A \$5 late fee will be applied to all bills more than 5 days past due, every month that payment has not been made. The billing will be contracted with Pacific Coast Medical Supply as outlined in our billing agreement.

2.10.2 The sewer service charge shall be billed as a separate item on the Water District's bill for the same customer and is due and collectible at the same time and in the same manner as the Water District's water bill. All funds collected as sewer charges will be remitted by Pacific Coast Medical Supply to the Sundown Sanitary Sewer District.

2.10.3 If a sewer charge is not paid when due, and liens and legal action are ineffective the Sundown Sewer District may elect to disconnect and thereby terminate service. A disconnected and terminated customer will be allowed to reconnect after all back fees and penalties are paid, including a reconnect fee as determined in section 2.8.1.

2.11 Private Sewage Disposal

2.11.1 When a public sanitary sewer nor an existing private system that meets current Oregon State Department of Environmental Quality standards under section 2.2 are not available, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Ordinance.

2.11.2 Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written approval from the Sundown Sanitary District and a written permit from the Oregon State Department of Environmental Quality.

2.11.3 At such time as a property serviced by a private sewer connects to the public sewer any septic tanks, cesspools and similar private sewage disposal

facility shall be abandoned in accordance with State law at no expense to the District.

2.11.4 The owner shall operate and maintain the private sewage disposal system in a sanitary manner and in compliance with all applicable laws and regulations at all times at no expense to the District.

2.11.5 No statement contained in this Ordinance shall be construed to interfere with any additional requirements that may be imposed by the Oregon State Department of Environmental Quality.

2.12 Nonuse of Sewer

2.12.1 If a sewer which connects a building with the District sewer system is not to be used due to the fact that the water has been turned off at the premises, and the Sanitary District Superintendent has received a written notice that there will be no use of the sewer or water, the owner or occupant shall not be charged for sewer use during the period of discontinuance or until the water is turned on by the supplier of water. At such time as the building is reconnected with the sewer a reconnect fee will be applied as outlined in section 2.8.1.

2.13 Private Water Supply

2.13.1 If a private source of water supply is used, the premises must nevertheless be connected to the District sewer system. Prior to connection and use of private water supply, the property owner shall notify and obtain the approval of the Sanitary District Superintendent.

2.14 Penalties

2.14.1 Any violation of these regulations may subject the violator to disconnect from sewer system, a \$100.00 per day fine, or both, in addition to any other legal remedies available to the District.

2.15 Review and Revision of Rates

2.15.1 The sewer service charges established in Section 2.9 of this Ordinance shall, as a minimum, be reviewed annually and revised periodically to reflect actual costs of operation, maintenance and replacement of the treatment works and to maintain the equitability of the user charge with respect to

proportional distribution of the costs of operation and maintenance to a per EDU basis.

2.16 Notification

2.16.1 Each user shall be notified, at least annually, in conjunction with a regular bill of the rates.

2.17 Effective Date

2.17.1 The provisions of this Ordinance shall become effective on each property owner when the sewer system is completed to the extent that the property owner may connect to the sewer system.

ARTICLE THREE.

ADOPTION

3.1 Effective Date

3.1.1 The Ordinance is adopted by the Board and is effective January 1, 2005 become effective upon adoption in accordance with ORS 198.510 to 198.600

ARTICLE FOUR


ADOPTION


4.1 Declaration of an Emergency

4.1.1 An emergency is hereby declared because of the need to implement the Ordinance in order to provide funding to operate the District sewer operations. Failing to do so would prevent the District from being able to carry out its respective duties. This Ordinance will be in full force and effect after its passing by the Board with the effective date of January 1, 2005.


PASSED by the unanimous consent of the District Board this 14th day of December, 2004.

Sundown Sanitary District

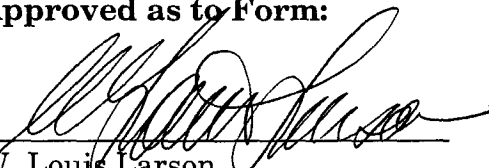
By: 
Steve McNulty
Board President

By: 
Walt Postlewait
Board Secretary

Attest:


Norm Stutznegger, Board Member

Approved as to Form:


W. Louis Larson
Attorney for District

DISTRICT BOARD
SUNDOWN SANITARY DISTRICT

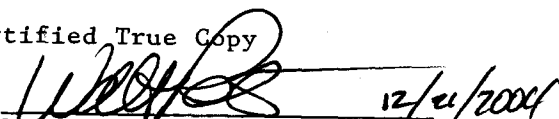
ORDINANCE NO.)	
	)	AN ORDINANCE DECLARING
2004-12-1	)	METHOD OF PAYMENT FOR
	)	PURPOSES OF ACQUIRING,
	)	CONSTRUCTING,
	)	RECONSTRUCTION, ALTERING,
	)	ENLARGING, RENEWING,
	)	REPLACING, OPERATING AND
	)	MAINTAINING SUCH SEWAGE
	)	COLLECTION AND DISPOSAL
	)	SYSTEMS AS MAY IN THE
	)	JUDGMENT OF THE BOARD BE
	)	NECESSARY AND PROPER FOR
	)	THE AREA OF THE DISTRICT
	)	PURSUANT TO ORS 450.135

The District Board of SUNDOWN SANITARY DISTRICT ordains as follows:

ARTICLE ONE. **PURPOSE AND AUTHORITY.**

1.1 **Purpose.** The purpose of this Ordinance is to declare the method of payment prior to acquiring, constructing, reconstructing, altering, enlarging, renewing, replacing, operating and maintaining a sewage collection system and disposal system as in the judgment of the District are necessary and proper for the area.

1.2 **Authority.** This Ordinance is adopted pursuant to the requirements of ORS 450.135.

Certified True Copy
By:  12/21/2004
Walt Postlewait, Board Secretary

ARTICLE TWO.

METHOD OF PAYMENT.

2.1 **Method.** The cost necessary to acquire, construct, reconstruct, alter, enlarge, renew, replace, operate and maintain a sewage collection system and disposal system may be paid for in any one or more of the following means:

a. Assessment against the property directly benefited with or without issuance of bonds authorized under ORS 450.095 et seq.

b. Partly by assessment against the property directly benefited and partly out of the funds of the sewer district.

c. Collection of sewer service charges.

d. Connection charges.

e. Grants and loans from the federal government and/or financial institutions.

f. Loans from US chartered financial institutions pursuant to the public borrowing statutes of ORS Chapter 288.

2.2 **Determination of Method.** The determination of the particular method or combination of methods to obtain the funding to make payment of such costs shall be made by later Resolution or Ordinance, respectively, based upon an exercise of the Board's sound discretion.


ARTICLE THREE.

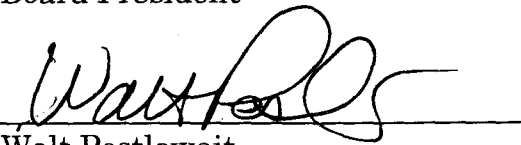
ADOPTION.

3.1 **Date.** This Ordinance was passed by unanimous consent of the District Board this 14th day of December, 2004.

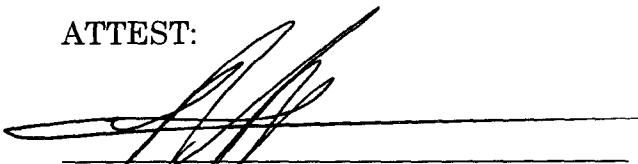
3.2 **Effective Date.** This Ordinance shall become effective January 1, 2005 after adoption by the District Board through Emergency Procedures. Emergency Procedures were used to allow for the collection of funds and allocation of funds on January 1, 2005.

Sundown Sanitary District

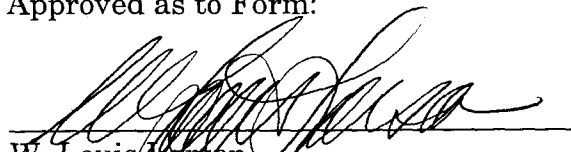
By: 
Steve McNulty
Board President

By: 
Walt Postlewait
Board Secretary

ATTEST:


Norm Stutznegger, Board Member

Approved as to Form:


W. Louis Larson
Attorney for District