

AN ORDINANCE PROVIDING RULES AND REGULATIONS FOR SEWAGE DISPOSAL IN
TILLAMOOK COUNTY

AUTHORITY: The following rules and regulations are adopted by the Tillamook County Board of Commissioners this 31st day of May, 1972 pursuant to authority vested in it by ORS 431.415.

DEFINITIONS AND GENERAL PROVISIONS

DEFINITIONS:

- (1) Board of Commissioners shall mean the Board of County Commissioners of Tillamook County pursuant to the provisions of ORS 431.416.
- (2) Department of Health or Department shall mean the Tillamook County Health Department as established by the County Board of Commissioners for the control of any dangerous, contagious or infectious diseases within the County of Tillamook.
- (3) County Health Officer shall mean the legally qualified physician and appointed by the Tillamook County Board of Commissioners or his authorized representative ORS 431.418.
- (4) Person shall mean any institution, public or private corporation, individual, partnership or other entity.
- (5) Sanitary Code or Code shall mean and comprise the rules and regulations now formulated, promulgated, adopted and subsequently amended by the Tillamook County Board of Commissioners.
- (6) Permit shall mean a written permit issued by the County Health Officer, permitting the practice for which the permit is issued.

ENFORCEMENT:

It shall be the duty of the County Health Officer to enforce the provisions of these rules and regulations, and in the performance of this duty, the County Health Officer or his duly authorized agent

is hereby authorized to enter at any reasonable time any premises as may be necessary in the enforcement of these rules and regulations.

SPECIAL PROVISIONS:

The rules and regulations of this code shall be supplemental to the Rules and Regulations of the Oregon State Health Division, Public Health Law, Penal Law and other Oregon State Laws relating to Public Health, and shall, as to matters to which it refers and within jurisdiction heretofore prescribed supercede all prior Rules and Regulations of the Board of Commissioners and all local ordinances heretofore or hereinafter enacted inconsistent herewith.

PERMITS GENERALLY:

All applications for permits or written approval herein required shall be made upon forms prescribed and furnished by the Department of Health and shall be signed by the applicant who shall be the person or authorized agent of a firm or corporation responsible for conformance to the conditions of the permit or approval applied for. Such application shall contain such data and information and be accompanied by such plans and specifications as may be required by the Health Officer. A permit issued to a particular person, firm or corporation or for a designated place, purpose or vehicle, shall not be valid for use by any other person, firm or corporation or for any other place, purpose or vehicle than that designated therein. Such permits or written approvals may contain general and specific conditions and every person, firm or corporation which shall have obtained a permit or written approval as herein required shall conform to the conditions prescribed in said permit or written approval and to the provisions of the Sanitary Code. Every such permit shall expire as stated on the permit and may be renewed by the Health Officer after due notice.

PRORATION OF PERMIT FEES:

Proration of permit fees may be granted by the County Health Officer where warranted.

FEES AND PENALTIES:

All fees and penalties collected under the provisions of this code shall be payable to the Tillamook County General Fund to aid in the carrying out of the provisions of this Sanitary Code.

RIGHT OF APPEAL:

Any person whose permit or application for written approval has been denied, suspended or revoked by the Health Officer may make appeal to the Board of Commissioners for a hearing and a review of the findings. Such appeal shall be filed with the Board of Commissioners within ten (10) days of the denial, suspension or revocation.

CONFLICTS:

In any case when a provision of these rules and regulations is found to be in conflict with the provisions of any zoning, building, fire, safety, or health regulations or code of the County of Tillamook existing on the effective date of these rules and regulations, the provisions which establish a higher standard for the promotion and protection of the health and safety of the people shall prevail.

SEVERABILITY:

If any section, subsection, subdivision, sentence, clause or phrase of these rules and regulations is determined to be unconstitutional, such decision shall not effect the validity of the remaining portion thereof.

PENALTIES:

Any person who violates, refuses or fails to comply with any of the provisions of this Code shall be guilty of a misdemeanor and shall

be punished by a fine of not more than \$1000 or by imprisonment in the County Jail for not more than one year.

EFFECTIVE DATE:

These rules and regulations shall take effect thirty (30) days after approval by the Board of County Commissioners, which effective date shall be June 30, 1972.

SEWAGE DISPOSAL

DEFINITIONS:

- a. Sewage Disposal System. The term 'sewage disposal system' shall be held and construed to mean and include septic tanks, subsurface disposal systems and appurtenances or any other system used for disposal of sewage waste other than public sewers and/or public disposal systems.
- b. Sewage. The term 'sewage' shall mean human excreta as well as kitchen, bath, and laundry wastes.

GENERAL REQUIREMENTS

- a. No person shall occupy any building, dwelling or vehicle as a place of habitation unless adequate and sanitary facilities for the disposal of sewage shall have been provided therefor in conformance with the provisions of these Rules and Regulations.
- b. Every building where persons reside, congregate or are employed which abuts a street or alley in which there is an available public sanitary sewer, shall be connected to the sewer by the owner of the premises or his agent. There shall be a separate connection for each house or building.
- c. Every building in which plumbing fixtures are installed and all premises having drainage piping therein and are located where no public sewer is available, shall be connected to a sewage disposal system approved by the County Health Officer or the Oregon State Health Division.

- d. No mobile home or trailer shall be parked and occupied outside an approved mobile home park unless adequate sanitary facilities are provided and approved by the County Health Officer.
- e. It shall be a violation of these Rules and Regulations for any sewage disposal system to be maintained in such a manner that it is, or may become, in the opinion of the Health Officer, a nuisance or a menace to health and, in addition, such system shall be subject to condemnation by the Health Officer or his authorized representative.
- f. The construction of sewage disposal systems and materials used therein shall be in conformity with written requirements of the County Health Officer, requirements shall be based on the following factors:
1. The maximum sewage load on the disposal system at any one time.
 2. The size, capacity and construction of the individual disposal system
 3. The type and condition of the soil; the percolation rate of the soil.
 4. The topography of the site and the relationship of the sewage disposal system to water supplies, adjacent property, buildings, streams and water courses.
 5. Such other factors as may be determined by the Health Officer to be necessary for the control and suppression of communicable and infectious diseases.
- g. The provisions of this Article are not intended to prevent the use of any alternate material, method of construction or procedure, providing any such alternate has been first approved and its use authorized by the Oregon State Health Division and the County Health Officer.

PLANS AND APPLICATIONS

Detailed plans and specifications for new or altered construction of a sewage disposal system for a residence, place of business, or other buildings where persons congregate, reside, or are employed must be submitted to the County Health Officer on applying for a permit to install an individual sewage disposal system.

SEWAGE DISPOSAL PERMITS

- a. It shall be unlawful to begin or perform any work in the construction or reconstruction, addition to, alteration or repair of any sewage disposal system without complying with all the provisions of these Rules and Regulations and without having a sewage disposal permit to do such work. Until completion of the work, the permit shall at all times be posted in a conspicuous place on the building or premises wherein the work is being done.
- b. The permit fee for each sewage disposal permit shall be \$7.50.

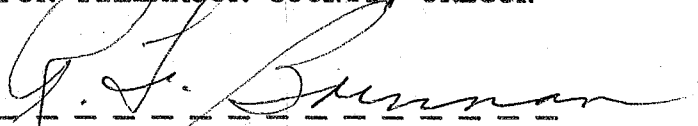
INSPECTIONS

- a. All work done and all materials used in construction, reconstruction, addition to, alteration or repair of any individual disposal system shall be submitted to the County Health Officer or his authorized representative and when he finds any work being done or material being used which does not conform to the provisions of these Rules and Regulations he shall order the necessary changes to make the same conform. Any material, fixtures, appliances or devices which are defective, insanitary, or are not in conformity with the provisions of these Rules and

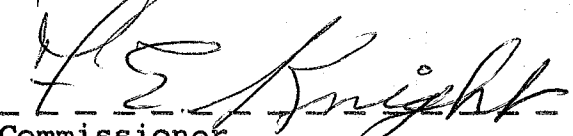
Regulations shall be repaired, replaced or removed. If the nonconformance with the provisions of these Rules and Regulations is not corrected within the time fixed by the Health Officer or his authorized representative, the sewage disposal system may be condemned and its use prohibited.

- b. When the system is ready for inspection, the County Health Department shall be notified. All portions of the system shall be left open and uncovered until inspected and approved. If any portion of the system is covered before it is inspected and approved, the same shall be uncovered for inspection when ordered. If upon inspection, it is found that the work or material used is not in accordance with the provisions of these Rules and Regulations, the person doing the work shall be notified by mail, telephone, or by posting written notice upon the premises that the system is in violation of these Rules and Regulations.
- c. If work authorized by this permit is suspended or abandoned for a period of one (1) year, the permit becomes void.

BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON



Chairman



Commissioner



Commissioner