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Bill for ORDINANCE NO. 2083

ORDINANCE NO. 1960

AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF ALBANY, OREGON TO ESTABLISH, OPERATE AND MAINTAIN, WITHIN AND WITHOUT THE CITY LIMITS OF THE CITY OF ALBANY, OREGON, A SEWAGE DISPOSAL PLANT OR PLANTS, SEWERS, EQUIPMENT AND APPURTENANCES, USEFUL OR CONVENIENT FOR A COMPLETE SEWER SYSTEM AND DISPOSAL PLANT; IMPOSING AN EQUITABLE CHARGE, DECLARING CERTAIN ACTS UNLAWFUL AND IMPOSING PENALTIES AND DECLARING AN EMERGENCY. THE CITY OF ALBANY, OREGON ORDAINS AS FOLLOWS:

SECTION I: Pursuant to the General Law of the State of Oregon and the powers granted in the Charter of the City of Albany, Oregon, the Council of said city does hereby declare its intention to acquire, own, construct, equip, operate and maintain within and without the city limits of the City of Albany, Oregon a sewage disposal plant or plants, sewers, equipment and appurtenances necessary, useful or convenient for a complete sewer system and disposal plant, and also including maintenance and extension of the present sewer system of said city and also including the reconstruction of such sewers as may necessarily or conveniently be deemed proper by the Council.

SECTION II: There is hereby levied and imposed upon all sewer users just and equitable charges for service or subsequent service, maintenance, operation, extension and reconstruction, to establish funds for the foregoing purposes.

SECTION III: The just and equitable charges aforesaid are hereby established, determined and declared to be as follows:

Class I:	Single family residences	\$0.75 per month
	Each apartment unit in any multiple family dwelling	\$0.75 per month
Class II:	Commercial establishments	
	A. First two fixtures, minimum	\$1.00 per month
	B. Additional three to five fixtures, each	\$0.50 per month
	C. Additional six to ten fixtures, each	\$0.25 per month
	D. Each additional fixture thereafter	\$0.20 per month

Class III: Industrial users who are processors of food or who discharge sewage that requires an excessive amount of oxygen to break down, shall pay the commercial rate until tests have been made to ascertain the amount and content of the waste discharged and then such charge shall be made that is fair and equitable.

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SECTION IV: The City of Albany, Oregon is hereby directed to collect the rates and charges provided herein from each user of the sewage facilities. Said charges, as and when collected, shall be paid over to the Treasurer of the City of Albany, Oregon into a fund designated as the "Sewage Charge Account, Special". The administrative cost for collecting the sewer service charge shall be paid from such special account.

SECTION V: The City of Albany, Oregon may use such means of collection of rates and charges for sewer service as may be provided by the laws of the State of Oregon or permitted by the Charter and Ordinances of the City of Albany, Oregon, and any delinquencies may be certified to the tax assessor of Linn County for collection in the manner and as provided by Section III of Chapter 289, Oregon Laws 1933. Rates and charges for sewage facilities as hereinbefore provided shall be collected monthly or quarterly and, if not paid on or before fifteen days from and after the date the same shall be payable, said rates and charges shall be deemed to be delinquent and shall draw interest at eight per cent per annum. Any charge due hereunder which shall not be paid when due may be recovered in an action at law by the City of Albany.

SECTION VI: In the event it becomes necessary to certify the service charges established because of the non-payment thereof, there shall be added to such charges a penalty in the amount of ten per cent thereof and the same shall bear, when certified, interest at the rate of eight per cent per annum from the date of such certificate.

SECTION VII: The City Treasurer, upon receipt of such funds from said City Recorder of Albany, Oregon, is hereby directed to credit all revenues received from such charges and rates collected to a fund designated "Sewer Charge Account, Special".

SECTION VIII: Definition of "Fixture" as used here is any apparatus that uses water and wastes into a sewer.

SECTION IX: The imposition of said charges shall begin on all sewer users upon the 1st day of July, 1949, and all charges due shall commence to be so collected.

SECTION X: All garbage grinders which discharge the garbage into the sewers, installed for domestic use, are hereby declared to be unlawful unless the installation thereof has been inspected by the plumbing inspector, and a permit issued therefor. No charge for said permit or inspection shall be made and in the event that such a garbage grinder is now or may hereafter be installed as aforesaid, then, and in that event, said monthly charge per family unit shall be an additional 25 cents per garbage grinder unit.

SECTION XI: It is hereby declared to be the intent of the Council that each of the separate provisions hereof shall be deemed independent to the end that if any provisions hereof shall be declared invalid by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of this ordinance, and it is hereby expressly declared that every other section, subdivision, paragraph, provision or clause of this ordinance would have been enacted irrespective of the enactment or validity of the portion hereof declared or adjudged to be unconstitutional or invalid.

SECTION XII: Inasmuch as the sewage disposal system must of necessity be constructed at the earliest practical date, that the progress of the State of Oregon for the purification of streams be aided in all manners possible, that it is necessary to accumulate funds as soon as possible to require the minimum issuance of bonds, and that it is essential for the health, peace and safety of the people of the City of Albany, Oregon, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage and the approval of the Mayor.

ATTEST: Alan Butler
Recorder

Passed by the Council March 9, 1949

Approved by the Mayor March 9, 1949

James W. Savage
Mayor

- A. First 500 cu.ft. @ 20c per 100 cu.feet - 1.00 @ 22½¢ - 1.12½
 B. Next 1000 cu.ft. @ 13 1/3¢ per 100 cu.feet - 1.33 1/3 @ 15¢ - 1.50
 C. Next 8500 cu.ft. @ 10c per 100 cu.feet - 8.50 @ 11¢ - 9.56½
 D. Next 90,000 cu.ft. @ 6 2/3¢ per 100 cu.feet - 59.94 @ 7½¢ - 67.50
 E. All over 100,000 cu.ft. @ 2 2/3¢ per 100 cu.feet - 26c @ 3¢ - 30c

	GARDENS			PACIFIC FRUIT			SNOW PEAK		
	Pres.	Prop.#1	Prop.#2	Pres.	Prop.#1	Prop.#2	Pres.	Prop.#1	Prop.#2
July	85.33	112.53	127.99	9.58	11.74	14.37	30.63	40.53	45.94
Aug	87.69	115.69	131.53	18.93	25.09	35.89	39.78	51.29	58.17
Sept.	70.53	93.39	105.79	16.73	22.18	25.09	41.68	55.12	62.52
Oct.	70.61	93.49	105.91	14.43	19.15	21.64	39.13	51.75	58.69
Nov.	69.41	91.93	104.11	9.98	13.34	15.04	46.03	60.86	69.04
Dec.	65.89	87.36	98.83	6.85	9.13	10.28	32.83	43.43	49.24
Jan.	65.15	86.40	97.72	6.78	9.03	10.17	34.48	45.61	51.72
Feb.	65.25	86.53	97.87	7.38	9.83	11.07	30.08	39.80	45.12
Mar.	64.27	85.25	96.60	3.93	5.23	5.89	32.33	42.77	48.49
April	66.31	87.90	99.46	4.30	5.73	6.46	28.78	38.09	43.17
May	70.01	92.71	105.01	5.95	7.93	8.93	31.03	41.06	46.54
June	82.13	103.47	123.19	9.03	12.03	13.62	30.73	40.73	46.17
	<u>862.58</u>	<u>1141.75</u>	<u>1293.81</u>	<u>113.92</u>	<u>150.46</u>	<u>178.45</u>	<u>416.54</u>	<u>531.04</u>	<u>624.81</u>
	STOKELY VAN CAMP			WILLAMETTE PRODUCE			REESER'S CREAMERY		
July	94.11	124.04	141.16	42.68	56.43	64.01	5.95	7.93	8.93
Aug	205.61	268.29	308.41	52.93	69.97	79.39	7.23	9.63	10.84
Sept.	195.81	256.25	293.71	46.63	61.65	69.94	7.60	10.13	11.40
Oct.	889.55	1158.12	1334.32	54.07	71.99	81.10	7.08	9.43	10.62
Nov.	379.27	483.05	555.40	42.63	56.37	63.94	6.78	9.03	10.17
Dec.	359.07	468.49	538.60	39.38	52.03	59.07	7.60	10.23	11.52
Jan.	79.43	104.96	119.14	36.08	47.72	54.12	7.98	10.63	11.97
Feb.	17.78	23.57	26.67	29.53	39.07	44.29	7.60	10.23	11.52
Mar.	13.73	18.22	20.59	40.18	53.14	60.27	3.85	5.13	5.78
April	61.21	81.27	91.81	29.53	39.03	44.29	4.68	6.23	7.02
May	68.69	90.59	103.03	35.68	47.20	53.52	5.65	7.53	8.48
June	38.38	50.76	57.57	39.13	51.75	58.69	6.33	8.63	9.49
	<u>2393.64</u>	<u>3128.71</u>	<u>3590.41</u>	<u>438.45</u>	<u>646.45</u>	<u>732.63</u>	<u>78.49</u>	<u>104.56</u>	<u>117.74</u>
	4353.64	5722.97	6537.85						
Less 12		572.29	653.78						
		<u>3150.68</u>	<u>5884.07</u>						
Over Pres.	797.04	1530.43							

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NOTARY
State of Oregon,
County of Linn

I hereby certify that the within
was received and duly recorded
by me in Linn County Records

Book of Deeds

Vol. 216 Page 650 on
the 24th day of Aug.

1959 at 11:30 o'clock A.M.

Walter S. H. [unclear]
Recorder of Linn County, Oregon

By _____
Deputy