



ORDINANCE NO. 6007

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE CHAPTER 9.04, MAINTENANCE OF PROPERTY

WHEREAS, the Albany City Council desires to further define the allowable use of portable toilets within the Albany Municipal Code (AMC); and

WHEREAS, Chapter 9.04 of the AMC contains references to portable toilets that should be modified and expanded; and

WHEREAS, it is in the interest of the city to have a clear and understandable municipal code.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

AMC Chapter 9.04, Maintenance of Property, is hereby amended as follows:

9.04.030 Definitions.

For the purposes of this chapter, the following words, phrases, abbreviations, terms and their derivatives shall be construed as specified in this section. Words used in the singular shall include the plural and the plural the singular.

(1) "Domestic water supply" means any water supply system which serves potable water including wells.

(2) "Potable water" means water which is sufficiently free from biological, chemical, physical or radiological impurities so that users thereof will not be exposed to or threatened with exposure to disease or harmful physiological effects and which has such other physical properties as to be palatable to humans for drinking purposes.

(3) "Privy" means a detached building used by humans for the purposes of defecation or urination and lacking a means of automatic discharge of the matter deposited; pit toilet. This definition shall not include properly serviced and maintained chemical toilets used on a temporary basis at construction sites or to service periodic or irregularly schedule short-term activities. Such temporary use shall not exceed 90 days without approval of the Director of Public Works **or as provided herein.**

9.04.040 Minimum requirements.

Minimum requirements for good sanitation shall include at least the following:

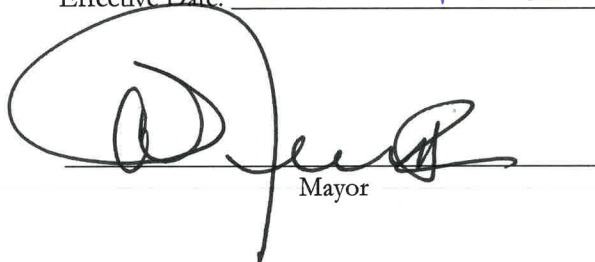
- (1) No privy, water closet or plumbing connected indirectly to a domestic water supply not connected to a sanitary sewer of the City shall be constructed, maintained or used. Exceptions to this requirement for the connection to a sanitary sewer shall be allowed only by consent of the City Council which shall be done in the form of the City waste nonconnection permit. Application for a City waste nonconnection permit shall be made to the City Council setting forth a description of the property involved with reasons that a sewage nonconnection permit should be granted. Sewage nonconnection permits shall be issued for a period not to exceed one year and will expire one year from date of issue. Requests for renewal of sewage nonconnection permits will be made in the same manner as an application for an original sewage waste nonconnection permit.
- (2) No human excreta, kitchen wastes, laundry water, sink water or toilet wastes should be allowed to discharge or flow upon the surface of the ground or into any ditch, gutter, street, roadway or public place, nor shall such wastes discharge onto any private property so as to create a nuisance or health hazard.
- (3) No abandoned or deep well shall be used for the disposal of sewage or household or industrial wastes. No privy vault, cesspool or septic tank allowed under a City waste nonconnection permit shall be used unless the same is watertight and shall be located in any water-bearing stratum, nor shall any privy vault, cesspool or septic tank be located so that the same may pollute any domestic water supply. (Ord. 5880 § 1, 2016; Ord. 4129 § 4, 1978).
- (4) **Use of properly serviced and maintained chemical toilets beyond 90 days may be allowed with approval of the Director of Public Works in the following situations:**

1. When made available for public use and installed on public or city owned property; or
 2. When made available for public and/or private use and installed on private property under the following conditions:
 - a. Subject property shall have an existing permitted connection to public sanitary sewer and water and accounts in good standing with the City of Albany, and
 - b. Subject property shall be associated with an approved land use for institutional, industrial, or commercial use(s), as categorized by the Albany Development Code; or
 3. When made available for the exclusive use of employees of a private business, on private property, which is not connected to city water and sewer services and the business was established prior to July 1, 2022.
- (5) Use of chemical toilets is not applicable to Mobile Food Units per AMC 5.06.160.
- (6) Placement of chemical toilets as described in this title shall be in compliance with applicable elements of the Albany Development Code and current Building Codes, ~~and be properly screened from public view from the right of way.~~

Passed by the Council: Dec. 14, 2022

Approved by the Mayor: Dec. 14, 2022

Effective Date: Jan. 14, 2023



Mayor

ATTEST:



City Clerk

