

ORDINANCE BILL NO. 1 for 1990

ORDINANCE NO. 1009

AN ORDINANCE ESTABLISHING A MANDATORY WATER TESTING PROGRAM FOR ALL HOUSEHOLDS UNCONNECTED TO CITY WATER SERVICE WITHIN AREAS IDENTIFIED BY THE LINN COUNTY ENVIRONMENTAL HEALTH DIVISION AS BEING AT HIGH RISK FOR GROUNDWATER CONTAMINATION; REQUIRING HOUSEHOLDS WITH CONTAMINATED WELLS TO CONNECT TO CITY WATER SERVICE; REQUIRING ALL NEWLY PARTITIONED PROPERTY AND/OR NEW DWELLING UNITS TO CONNECT TO CITY WATER SERVICE; AND DECLARING AN EMERGENCY.

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1.

This ordinance will apply to all properties within the risk areas identified by the Linn County Environmental Health Division as being at high risk for groundwater contamination. These areas are commonly referred to as the "42nd/43rd Avenue Risk Area" (see Attachment A) and the "Clark Mill Road Risk Area" (see Attachment B). Hereafter, these two areas will be jointly referred to as the risk areas, and the attachments are hereby incorporated herein by reference.

Section 2.

All households within the risk areas which are not currently connected to the City water system, and which have not been previously tested shall have their wells tested for arsenic and biological contamination. Property owners shall grant access for taking of samples.

Section 3.

All households which have been tested under the provisions of this ordinance or which have been previously tested and for which results show measurable biological contamination or levels of arsenic exceeding the EPA National Drinking Water Standard of .05 milligrams per liter shall be required to connect to the city water system.

Section 4.

The deadline for connection under the provisions of Section 3 shall be six months after enactment of this ordinance. Property owners failing to connect by that date shall be connected to City water by City staff or other authorized personnel and have a lien placed

against their property to cover the costs of connections. The lien can be collected and foreclosed against the property by following the procedures set out in Sweet Home City Ordinance No. 955, Sections 27-30 inclusive, as now enacted or hereafter amended. The property owners are jointly and severably personally liable for the cost of the connection.

Section 5.

Connection to City water service is required for any tax lot which undergoes partition or upon which a new dwelling unit is established.

Section 6.

All properties within the risk areas which are connected to City water are prohibited from re-connection to well water or in any manner using well water for household purposes. Well water may be used for irrigation, lawn care or other use outside the dwelling.

Section 7.

Violation of this ordinance constitutes an infraction and may be prosecuted under the provisions of Ordinance No. 876, and any amendments thereto. The remedies, which include penalties herein, provided for in the ordinance are cumulative, and not exclusive, and shall be in addition to any and all other remedies available to the City. If access is not granted to a property for inspection, the City may obtain an Inspection Warrant from the Municipal Court. Any person interfering physically with individuals carrying out the provisions of this ordinance shall be prosecuted under applicable criminal laws as they apply to the situation.

Section 8.

It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety. Therefore, an emergency is hereby declared to exist and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 13th day of February, 1990.



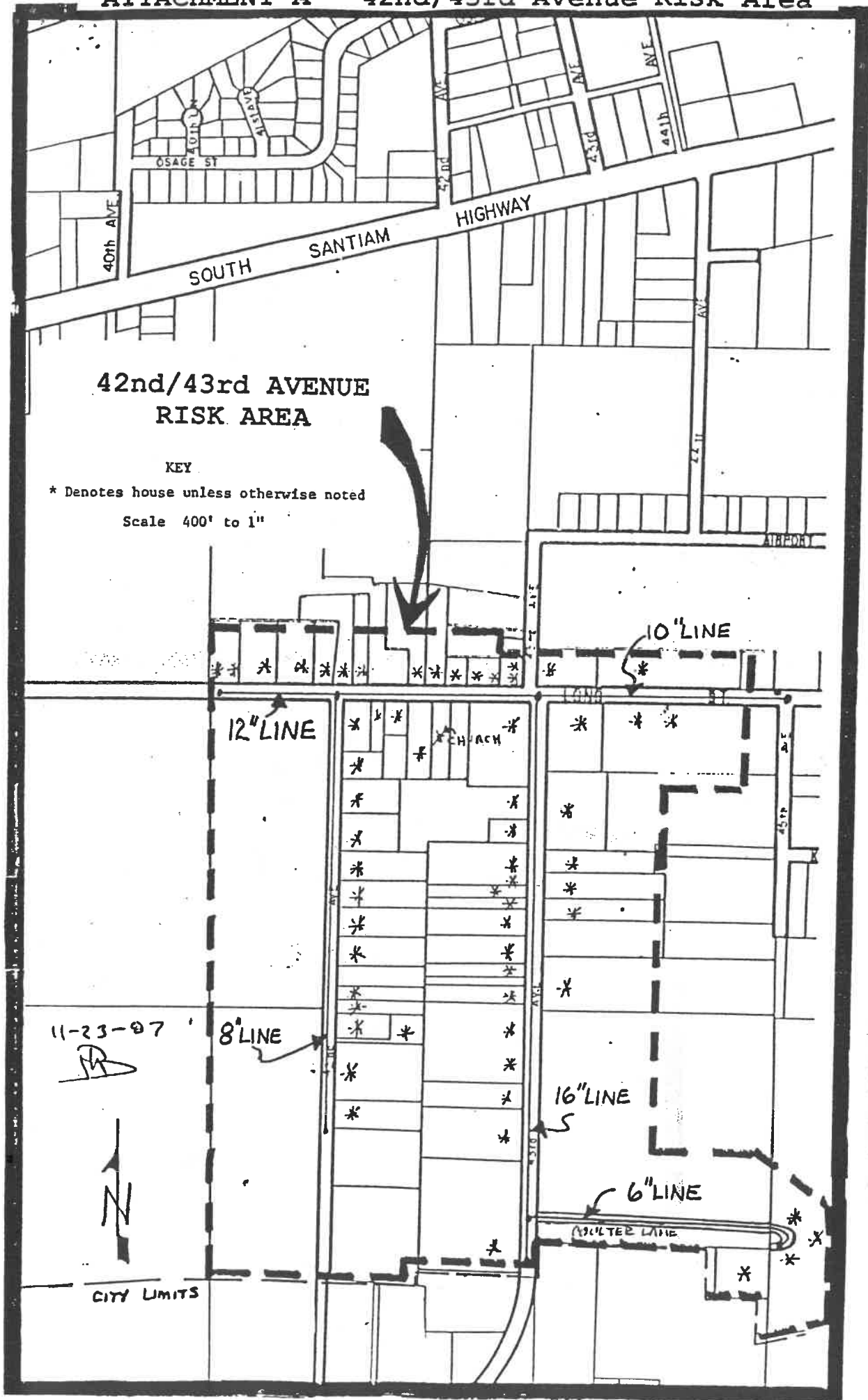
Mayor

ATTEST:

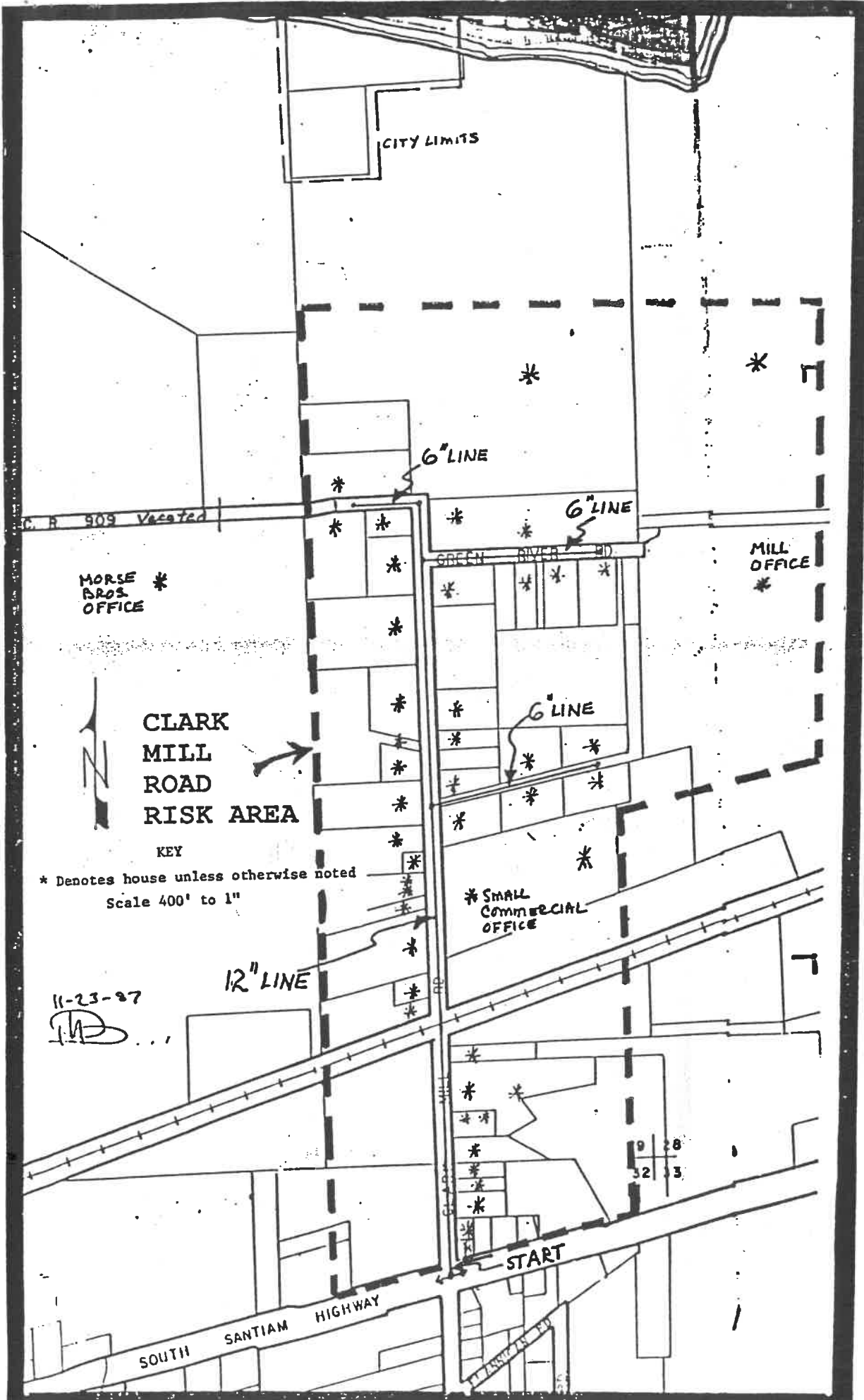


City Manager - Ex Officio City Recorder

ATTACHMENT A - 42nd/43rd Avenue Risk Area



ATTACHMENT B - Clark Mill Road Risk Area



MORSE BROS. OFFICE *

CLARK MILL ROAD RISK AREA

KEY

* Denotes house unless otherwise noted
Scale 400' to 1"

11-23-87
IMD

CITY LIMITS

6" LINE

6" LINE

6" LINE

12" LINE

* SMALL COMMERCIAL OFFICE

MILL OFFICE *

SOUTH SANTIAM HIGHWAY

START

9 28
32 33