

**CITY OF GARIBALDI
ORDINANCE NO. 312**

AN ORDINANCE OF THE CITY OF GARIBALDI ADOPTING THE OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION 2008 AND OREGON STANDARD DRAWINGS 2008 FOR PUBLIC ENGINEERING STANDARDS; AMENDING GARIBALDI MUNICIPAL CODE CHAPTER 12.05 SIDEWALK CONSTRUCTION AND REPAIR AND CHAPTER 13.05 WATER SERVICES; AND DECLARING AN EMERGENCY

THE CITY OF GARIBALDI ORDAINS AS FOLLOWS:

Section 1. The documents on file in the office of the Recorder of Garibaldi marked and designated as the *Oregon Standard Specification for Construction 2008* and *Oregon Standard Drawing 2008* as published and amended by the State of Oregon in cooperation with American Public Works Association (and as may be amended thereafter), incorporated here by reference as if fully set forth herein, are hereby adopted as the public engineering standards of the City of Garibaldi. These standards regulate and govern the improvement of public infrastructure as described and addressed within these documents, and as required by the city administrator, the city engineer or the public works director, and may be referenced as the city's "Public Engineering Standards".

Section 2. Garibaldi Municipal Code Chapters 12 and 13 are amended in part by replacing certain subsections as follows:

A. Chapter 12.05

12.05.030 Permit to build new or repair walks.

A. Any person or persons desiring to repair a sidewalk or construct a new sidewalk shall apply for a permit to build or repair the same to the city administrator of the city of Garibaldi, describing the location, kind of material and width of such walk, and if such application shall comply with the requirements of this chapter, it shall be the duty of the city administrator to furnish said applicant without cost or charge a written permit to build, improve or repair such walk.

B. The repair, design and construction of all sidewalks will be in accordance with the city's adopted Public Engineering Standards. The city administrator and the public works superintendent are authorized to provide direction and clarify the use of these standards using sound engineering practice.

B. Chapter 13.05 Water Services

13.05.040 Rules and regulations

M. Rule 13 - Extensions. Extensions of a water or sewer main will be made by the city along streets, roads, highways or satisfactory rights-of-

way, and only in those cases where pressure conditions permit. City will specify the size, character and location of pipes and appurtenances, and all construction work will conform to recognized standards. If the total length of a required main exceeds 100 feet per user, the users directly benefitted thereby will be required by the city to pay that portion of the construction cost for such main which exceeds the 100 feet per user cost, plus interest, or per frontage foot, plus the hook up fee with payment being due when service connection has been completed. Such fees constitute reimbursement to the city for the costs of providing such services. Design and construction is to be in accordance with the city's Public Engineering Standards. The city administrator and the public works superintendent are authorized to provide direction on and clarify the use of the city's standards using sound engineering practice.

C. Chapter 13.10 Sewer Services

13.10.400 Specifications

A building's sanitary sewer service shall be of a type and material that meets the city's Public Engineering Standards. The city administrator and the public works superintendent are authorized to provide direction on and clarify the use of the city's standards based on sound engineering practice.

13.10.450 Joints

All joints and connections shall be in accordance with the city's Public Engineering Standards. The city administrator and the public works superintendent are authorized to provide direction on and clarify the use of the city's standards based on sound engineering practice.

13.10.460 Connection - Specifications

The connection of a building's sanitary sewer shall be in accordance with the city's Public Engineering Standards. The city administrator and the public works superintendent are authorized to provide direction on and clarify the use of the city's standards based on sound engineering practice.

Section 3. SEVERABILITY. If any section or part of this ordinance is determined by a court of competent jurisdiction, to be unconstitutional or in any way invalid, the invalid portion shall be severed and such decision shall not affect the validity of the remaining portions of this ordinance which shall continue to have full force and effect of law.

Section 4. DECLARATION OF EMERGENCY. The City Council finds this ordinance is necessary for the peace, health and safety of the people of the City of Garibaldi, and is necessary for the purpose of immediately and formally recognizing the city's Public Engineering Standards so that those persons responsible for design, installation and construction of public infrastructure including the city of Garibaldi, private property

owners, and local, state and federal agencies, may proceed with financing and constructing projects using recognized engineering practices and standards for public infrastructure. Based on these findings, an emergency is declared to exist and this ordinance shall be in full force and effect immediately upon its adoption by the City Council and approval by the Mayor.

ADOPTED by the Council this 19th day of October, 2009.

APPROVED by the Mayor this 19th day of October, 2009.

ATTEST:



John O'Leary, City Administrator



Hon. Suzanne McCarthy, Mayor