

**ARCH CAPE SANITARY DISTRICT  
BOARD OF COMMISSIONERS MEETING**

Thursday February 13, 2025 3:30 p.m.

Zoom Only

<https://us02web.zoom.us/j/85742687999?pwd=YrDbHbG8sGWkke9EamLkP8S0gXyago.1>

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| <b>I. Call to Order</b>   | Casey |
| <b>II. Executive Session: Meeting of Joint Personnel and Contracting Committee</b><br>Executive Session: To consider information or records that are exempt by law from public inspection ORS 192.660(2)(f) | Casey |
| <b>III. Public Comments</b>   | Casey |
| <b>IV. Agenda Approval (Action)</b>   | Casey |
| <b>V. Approve January 16th Meeting Minutes (Action – Motion to Approve)</b>   | Casey |
| <b>VI. Ordinance 25-0201, Amending Ordinance 24-0901 to change the definition of Accessory Dwelling Unit (ADU).</b> Action Requested: Motion to adopt ordinance.  | Casey |
| <b>VII. Ordinance 25-0202, Stating Rules, Regulations, and Conditions for Connecting to District Sewer Mains or Laterals.</b> Action Requested: Motion to Adopt Ordinance.                                  | Casey |
| <b>VIII. Public Comment</b><br>Staff Updates<br>Board Comments  |       |
| <b>IX. March 20 Meeting</b> <ul style="list-style-type: none"><li>• Appoint Budget Committee Members</li></ul>  |       |
| <b>X. Adjourn</b>   |       |



**ARCH CAPE SANITARY DISTRICT  
BOARD OF COMMISSIONERS MEETING  
Thursday, January 16, 2025; 5:00 pm**

Pursuant to notice posted, the regular monthly Board Meeting for the Arch Cape Sanitary District was held via Zoom.

In attendance: Sanitary District: Casey Short, Chair, Thomas Mattia, Steve Hill, Darr Tindall joined 5:34; Absent: Mark Engberg; Staff: Matt Gardner, Teri Fladstol, Admin. Public: Dale Mosby, J Bettis

Call to Order: 5:08 pm by Casey Short

Public Comments: None

Agenda Approval: Motion by Tom Mattia to approve the Agenda as presented, Second by Steve Hill, motion carried.

November 21, 2024 Meeting Minutes: Motion by Tom Mattia to accept the minutes as presented, Second by Steve Hill, motion carried.

Resolution 2025-0101, Resolution for Short Term Borrowing Between Districts. Motion by Tom Mattia to approve, second by Steve Hill. Steve moved to amend Exhibit A of the resolution to change the interest rate of 6% to the rate of the lending District's LGIP account. Tom seconded, motion carried. Resolution as amended passed 3-0.

Resolution 25-0102, Approving a Supplemental Budget for FY 2024-25. Tom moved to approve the resolution, Steve seconded. Casey noted that the amounts in question were inaccurate in the draft resolution and asked that the first Whereas be amended to change \$183,000 to \$203,000 and \$555,000 to \$575,000; that the second Whereas be amended to change 95% to 90% and \$555,000 changed to \$575,000. Steve so moved, Tom seconded. Motion approved 3-0. Casey opened a public hearing on the Supplemental Budget Resolution at 5:25, no one testified, and he closed the public hearing at 5:26. The amended motion was approved 3-0.

Intergovernmental Cooperative Assistance Agreement among ACSD, Arch Cape Domestic Water Supply District, and the City of Cannon Beach. Tom moved to authorize the Board President to sign the agreement, Steve seconded. No discussion, motion passed 3-0.

The Board discussed the anticipated schedule through June; Matt presented a project status report. Casey reported that Tom Mattia will work on an ordinance outlining District requirements for work on district property or in the public right-of-way, to be considered at the February meeting.

Darr joined the meeting at 5:34.

**Board Member Comments**

Darr – Webb panels got shipped and the crew will be back next week; 2 weeks we will be ready to go;

Tom – None

Steve – Recap of meetings coming up is very helpful; pleased to have Troy's help. Thank you to Bill & Casey!

Casey – Reported that he will be on vacation and will miss the February meeting; Vice Chair Tom Mattia will determine the agenda and preside at the meeting. He also thanked Bill Campbell for the work he is doing as de facto Interim District Administrator for both districts. Thank you to Bill for stepping in and keeping things moving!

**February Agenda items**

Webb Lift Station

Budget Committee Members

Salary Ranges – Compensation due to inflation / COLA

Ordinance on work in the right-of-way and on District property

Public Comments: None

Motion to adjourn meeting by Darr Tindall, second by Tom Mattia – adjourned at 5:52pm

Respectfully submitted,

Attest:

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Casey Short, Chair

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Teri Fladstol, Secretary

**Update SDC & Sewer Connection Ordinances - Topic Description**  
**February 13, 2025**

Action / Information: Action

Background

- A. Questions have arisen about the applicability of the District's SDC Definitions Ordinance to current construction projects. These questions indicate that the Ordinance requires additional clarity and precision.

The proposed amendment to Ordinance 24-1901 SD is intended to answer the following question:

Q: What are the specific standards that will be used to determine whether a dwelling unit is an Accessory Dwelling Unit (ADU)?

A: Clatsop County defined standards.

- B. Recently, some homeowners have hired contractors to work on their private sewer lateral and the connection between their private sewer laterals and the District's sewer main or laterals. Some contractors have not notified the District before beginning work and have done sub-par work that will require the District, at their expense, to redo the connection.

The proposed Ordinance requires homeowners to get a Permit from the District and establishes standards and conditions that must be followed.

Attached

The proposed Ordinances that are attached are:

- 1) Ordinance 25-0201 SD that amends Ordinance 24-0901 SD which redefines Accessory Dwelling Unit (ADU) using Clatsop County definition and standards (which are consistent with but more specific than the previously referenced State definition).
- 2) Ordinance 25-0202 SD that requires homeowners and their contractors to get a District Permit and to follow standards and conditions when working on the connection between their private sewer lateral and the District's sewer main/ lateral

**Board Motion**

- 1) Adopt Ordinance 25-0201 SD
- 2) Adopt Ordinance 25-0202 SD

**ORDINANCE 25-0201 SD**

**ARCH CAPE SANITARY DISTRICT**

**AN ORDINANCE AMENDING ORDINANCE NO. 24-0901 SD TO CHANGE THE DEFINITION OF ACCESSORY DWELLING UNIT (ADU)**

WHEREAS, by and through Ordinance No. 24-0901 (September 19, 2024) [“the 2024 Ordinance”], the Board of Commissioners (“Board”) of the Arch Cape Sanitary District (“District”) sought to clarify the terms “Dwelling Unit” and “Equivalent Dwelling Unit” for purposes of assessing Systems Development Charges (SDCs); and

WHEREAS, subsection 1 of the 2024 Ordinance defines “Equivalent Dwelling Unit” to mean “a building or portion of a building designed for residential occupancy by a single family, excluding an Accessory Dwelling Unit (ADU) as defined in OAR 6660-004-0040”; and

WHEREAS, Clatsop County Ordinance No. 20-23 provides a definition of Accessory Dwelling Unit (ADU) that that is consistent with OAR 6660-004-0040 and also provides Structure Siting and Development standards; and

WHEREAS, the Board seeks to eliminate confusion in the standards that are to be applied to defining an Accessory Dwelling Unit (ADU);

NOW, THEREFORE, the Board hereby ordains as follows:

1. The definition in subsection 1 of the 2024 Ordinance which currently reads, “Equivalent Dwelling Unit shall mean a building or portion of a building designed for residential occupancy by a single family, excluding an Accessory Dwelling Unit (ADU) as defined in OAR 6660-004-0040,” is hereby deleted and replaced with the following: “Equivalent Dwelling Unit shall mean a building or portion of a building designed for residential occupancy by a single family, excluding an Accessory Dwelling Unit (ADU) as defined in Clatsop County ORDINANCE NO. 23.03.”

Adopted by the Arch Cape Sanitary District Board of Directors on February 13, 2025.

Attest:

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Casey Short, Board President

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Teri Fladstol, Secretary

**ORDINANCE 25-0202 SD**

**ARCH CAPE SANITARY DISTRICT**

**AN ORDINANCE STATING RULES, REGULATIONS AND CONDITIONS FOR  
CONNECTING TO DISTRICT SEWER MAINS OR LATERALS**

WHEREAS; the Arch Cape Sanitary District (District) provides a valuable public service, by providing a sewer collection system and pumping station, inside the boundaries of the District. These sewer facilities constitute a public utility owned and operated by the District.

WHEREAS; Arch Cape Sanitary District homeowners and their agents, in the course of working on sewer lines for their building (building sewer) may want to uncover, make connections with or opening into, alter, or disturb District Sewer Main or District Sewer Lateral or related appurtenance.

WHEREAS; District staff should authorize any such work before it occurs and review the completed work and approve that it complies with standards.

NOW THEREFORE, the Board of Commissioners (“Board”) of the Arch Cape Sanitary District (“District”) ordains as follows:

1. A separate and independent Private Sewer Lateral shall be provided for each residential unit within a multi-family building and for each single-family residential building. Each commercial or industrial building with plumbing systems shall have a separate and independent Private Sewer Lateral.
2. The user/owner of any building shall be totally responsible for maintenance of the Private Sewer Lateral to the private property line. The Private Sewer Lateral shall be that portion of the lateral that is located on the private property. The District shall maintain the District Sewer Main and District Sewer Lateral located in the public right of way.
3. No persons that are not staff or agents of the District shall uncover, make any connections with or opening into, alter, or disturb any District Sewer Main, District Sewer Lateral, or Private Sewer Lateral, or related appurtenance therefore without first obtaining a written Sewer Connection Permit from the District.
4. The owner of the building or the owner’s agent shall make application for connecting their Private Sewer Lateral to the District Sewer Main or District Sewer Lateral on a District Sewer Connection Permit. The Permit application shall be supplemented by any other permits, plans, specifications, or other information considered pertinent in the judgment of the District.
5. All excavations for any sewer lateral installation, repair and/or maintenance shall be adequately guarded with barricades and lights so as to protect the public from hazards. Public property disturbed in the course of the work shall be restored in a manner satisfactory to the District within a reasonable time.
6. All cost and expenses incidental to the installation of the Private Sewer Lateral and connection to the District Sewer Main or District Sewer Lateral shall be borne by the owner of the building. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the connection of the Private Sewer Lateral to the District Sewer Main or District Sewer Lateral. Upon completion, the District will inspect all plumbing that connects the Private Sewer Lateral to the District Sewer Main or District Sewer Lateral.

7. The connection of the Private Sewer Lateral into the District Sewer Main or District Sewer Lateral shall conform to the requirements of the building and plumbing codes, applicable rules and regulations of the District, the procedures set forth in appropriate specification of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. Any deviation from the prescribed procedures and materials must be approved by the District before installation or maintenance of the connection. Any new, altered or otherwise maintained connection requires a cleanout at the property line which then becomes the dividing point between the District's Sewer Main or Sewer Lateral and Private Sewer Lateral
8. The connection of a new lateral into the District Sewer Main shall be made at an existing "T" if such fitting is available at a suitable location. If no existing fitting is available, a tap will be made using an approved fitting. Where no properly located "T" is available, the tap will be made by the District for a tapping charge.
9. The size, slope, alignment, materials of construction of a Private Sewer Lateral, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the District.
10. The applicant for the District Sewer Connection permit shall notify the District office when the lateral connection to the District's Sewer Main or District Sewer Lateral is ready for inspection. If the customer fails to meet any of the requirements in this Ordinance, the District may impose additional fees and charges as needed to recover the District's costs to reinspect and correct the condition, as needed.
11. No owner/agent or plumbing contractor shall be allowed to make connections of Private Sewer Lateral to the District Sewer Main or District Sewer Lateral on behalf of any owners of property therein without first posting with the District a bond in the sum of One Thousand Dollars (\$1,000.00) indemnifying the District and the inhabitants thereof against any loss or damage which the District or the inhabitants thereof might suffer by reason of the action of said contractor in making such connections.

Adopted by the Arch Cape Sanitary District Board of Directors on February 13, 2025.

Attest:

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Casey Short, Board President

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Teri Fladstol, Secretary