

City of St. Helens
ORDINANCE NO. 3236

AN ORDINANCE AMENDING ST. HELENS MUNICIPAL CODE CHAPTER 13.14
REGARDING USE OF PORTABLE PRIVIES

WHEREAS, Ordinance No. 3233 adopted a comprehensive sewer ordinance which repealed Chapters 13.12 and 13.16 SHMC; and

WHEREAS, the portable privy policy per SHMC 13.12.030(6) was inadvertently removed and not replaced by Ordinance No. 3233.

NOW, THEREFORE, THE CITY OF ST. HELENS DOES ORDAIN AS FOLLOWS:

Section 1. Section 13.14.085 of the St. Helens Municipal Code ("SHMC") is hereby added to Chapter 13.14 SHMC as follows:

13.14.085 Use of portable privies.

(1) Portable privies shall not be allowed for use with permanent uses except per SHMC 13.14.085(2)(iv).

(2) Use of portable privies may be authorized as follows:

(a) The Public Works Director may authorize the use of portable privies:

- (i) temporarily, when found necessary to serve workers on a construction project;
- (ii) temporarily, to serve community events;
- (iii) temporarily, for emergencies; or

(iv) on an on-going basis to serve public parks or public open space that do not have access to a public sewer or the POTW.

(b) The Planning Director may authorize the temporary use of portable privies associated with approved Temporary Uses pursuant to Chapter 17.116 SHMC when there are no alternatives commensurate with the type, duration and extent of the temporary use.

(c) Location of portable privy(ies) subject to City approval. Location consideration shall include public health, safety and welfare factors, and when possible, avoiding obstructing principal business facades both physically and visually.

(3) Portable privies shall have watertight, completely closed tanks for storage of wastes that are serviced as often as necessary to prevent overflow.

Section 2. Severability. If any section, provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other sections, provisions, clauses or paragraphs of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 3. Provisions of this Ordinance shall be incorporated in the St. Helens Municipal Code and the word "ordinance" may be changed to "code," "article," "section," or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that Whereas clauses and boilerplate provisions need not be codified.

Section 4. The effective date of this Ordinance shall be 30 days after approval, in accordance with the City Charter and other applicable laws.

Read the first time: April 17, 2019
Read the second time: May 1, 2019

APPROVED AND ADOPTED this 1st day of May, 2019 by the following vote:

Ayes: Locke, Carlson, Morten, Topaz, Scholl

Nays: None



Rick Scholl, Mayor

ATTEST:



Kathy Payne, City Recorder