

PORT OF NEWPORT ⁹
ORDINANCE NO. ~~4~~, 1965 ⁵⁻²

AN ORDINANCE PROHIBITING THE DEPOSIT OF SEWAGE, INDUSTRIAL WASTE AND/OR OTHER WASTE ON PORT PROPERTY OR IN THE WATERS CONTROLLED BY THE PORT, DECLARING AN EMERGENCY AND ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF.

THE PORT OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. As used in this ordinance the following definitions shall apply:

(a) "PERSON" or "PERSONS" means any individual, public or private corporation, political sub-division, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate, or any other legal entity whatsoever.

(b) "PROPERTY" means any property owned or controlled by the Port of Newport including any waters controlled by the Port of Newport.

(c) "SEWAGE" means the water, - carried human or animal waste from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present. The admixture with sewage as above defined of industrial waste or other waste as defined in sub-sections (d) and (e) of this section shall also be considered "sewage" in the meaning of this ordinance.

(d) "INDUSTRIAL WASTE" means any liquid, gaseous or solid waste substance or a combination thereof resulting from any process of industry, manufacturing, trade or business or from the development or recovery of any natural resources, which may cause or might reasonably be expected to cause pollution of the property or the waters controlled by the Port.

(e) "OTHER WASTE" means garbage, refuse, decayed wood, sawdust, shavings, bark, cement, lime, cinders, ashes, offal, oil, tar, dye-stuffs, acids, chemicals, dead animal or fish carcass, or part thereof, manure, paper and paper products, putrid, decaying or deleterious substance, refuse, waste or polluting matter, petroleum wastes.

Section 2. No person shall deposit on or in Port property or property under the control of the Port of Newport any sewage, industrial waste, or other waste as defined in this ordinance, and no owner thereof shall knowingly let the listed substances to remain in any of the mentioned places in this ordinance. Every twenty-four hours after conviction for violation of this ordinance during which the violator permits a polluting substance to remain is an additional offense against this sub-section.

Section 3. If any person shall violate any of the provisions of this ordinance, such person shall be deemed guilty of a misdemeanor and upon

conviction in any court of competent jurisdiction shall be punished by a fine not to exceed \$500.00 or by imprisonment in the County Jail of Lincoln County, Oregon, not to exceed ninety days, or in the discretion of the court, may be punished by both such fine and imprisonment.

Section 4. 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 of the people residing in the Port of Newport district and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect when signed by the President of the Port.

This Ordinance adopted this 11th day of October, 1965.

PORT OF NEWPORT

Lyle Hasselbink
President

12-2

19-1

ATTEST:

John A. Sutton
Deputy Secretary