

ORDINANCE NO 1136

AN ORDINANCE OF THE CITY OF ROSLYN, WASHINGTON, ADOPTING A NEW CHAPTER 13.11 OF THE ROSLYN MUNICIPAL CODE ENTITLED “FAT, OIL AND GREASE MANAGEMENT PROGRAM”; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Roslyn provides sewer service to customers within and without its corporate boundaries in Kittitas County, Washington; and

WHEREAS, in addition to its general police powers, the City of Roslyn has “full authority to regulate the use and operation” of its sewer system pursuant to RCW 3.67.010 and RCW 35.67.020; and

WHEREAS, the City of Roslyn maintains its sewer system to keep it free of obstructions and regulates the discharge of substances, liquids and solids, including fats, oils and grease, and other materials of a sedimentary nature into the sewer system; and

WHEREAS, the City of Roslyn desires to establish policies and procedures to ensure a well-maintained sewer system and to minimize the discharge of fats, oils, grease and sediment into the City of Roslyn’s sewer system; and

WHEREAS, the City Council has determined that the following Ordinance is in accord with the Comprehensive Plan and will not adversely affect the public health, safety or general welfare, and is in the best interests of the citizens of the City; now, therefore,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROSLYN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. New Chapter 13.11 RMC, Fat, Oil and Grease Management Program, Adopted. A new chapter 13.11 of the Roslyn Municipal Code, entitled “Fat, Oil and Grease Management Program,” is hereby adopted to read as follows:

Chapter 13.11 Fat, Oil and Grease Management Program

- 13.11.010 Application of chapter.**
- 13.11.020 FOG control requirements.**
- 13.11.030 New Connections.**
- 13.11.040 Existing Connections.**
- 13.11.050 Enforcement.**
- 13.11.060 Alternate Remedies.**
- 13.11.070 Applicable Standards.**

13.11.010 Application of chapter.

This chapter shall apply to all commercial establishments connected to the City of Roslyn's sewer system that generate fat, oil, and grease, and dischargers who operate automatic and coin operated laundries, car washes, filling stations, commercial garages or a similar business having any type of washing facilities (including pressure washing and steam cleaning) or any other dischargers producing grit, sand, oils, lint, or other materials which have the potential of causing partial or complete obstruction of the building side sewer or other areas in the system (collectively referred to in this Chapter as "FOG Dischargers").

13.11.020 FOG control requirements.

FOG Dischargers shall:

A. Install (or modify existing) grease interceptors, traps, or biological process that comply with the City of Roslyn standards; provided that all commercial and/or retail operations, regardless of size, shall install, operate and maintain a grease interceptor. The system installed shall:

1. Discharge effluent containing no more than 100 mg/liter of polar FOG (animal or vegetable) and suspended solids non-polar sediments including sand, lint and grit in excess of 250 mg/liter;
2. Provide a suitable location for representative sampling of effluent accessible to the City of Roslyn personnel, and be accessible for sampling, cleaning and inspection, and it must be maintained in continuously efficient operation; and
3. If applicable, comply with sizing criteria of either the Uniform Plumbing Code or with the manufacturer's specifications.

B. Prepare a management plan for the City of Roslyn's review and approval which plan shall include:

1. Identification of staff person in charge of the program;
2. Identification of sources of fats, oils, grease, and other materials of a sedimentary nature;
3. An employee training manual with scheduled new employee training and continuous education program;
4. Description of disposal and recycling programs used;
5. A list of all required functions related to fats, oils, grease and sediments housekeeping practices;
6. Visual signs or notices posted at specific sites for related tasks required;
7. Contact names and phone numbers for emergencies on a 24-hour basis;
8. Provision for documentation of actions by date, including training sign-off sheets, maintenance, cleaning, and incident reports; and
9. Provide consent to the City of Roslyn's inspectors to enter the premises during business hours to inspect, observe, measure, sample, and test the establishment's wastewater discharge.

C. An owner of a commercial establishment shall permit the City of Roslyn's inspectors to enter the premises during the establishment's business hours for the purpose of inspection, observation, measurement, sampling, and testing of the wastewater discharge.

13.11.030 New Connections.

Effective January 1, 2018, as a condition of receiving sewer service from the City of Roslyn, applicants for new sewer connections shall complete a City of Roslyn Sewer Application form. Any applicant whose business or commercial use will generate fats, oils or grease, or dischargers of sand, silt or lint, shall comply with Subsections 13.XX.020(A) and (B) before the connection will be approved.

13.11.040 Existing Connections.

Commercial establishments receiving sewer service as of the effective date of this Chapter shall have until January 1, 2019 to comply with this Chapter. Commercial establishments are required to provide the City with proof of annual grease trap maintenance and inspections.

13.11.050 Enforcement.

The City of Roslyn has determined that commercial customers served by the sewer system who have not complied with some or all of the above-referenced requirements create additional maintenance, operation, repair, and replacement costs of the various parts of the sewer system. Therefore, commercial customers served by the City of Roslyn's sewer system that fail to comply with the City of Roslyn's FOG Management Program will be assessed a service rate surcharge in accordance with the following procedures:

A. Upon discovery of a failure to comply with the terms and conditions of the City of Roslyn's FOG Management Program, the Public Works Director's designee shall notify the commercial establishment and the property owner (if different) in writing of the violation and give the commercial establishment thirty (30) days to comply.

B. If the commercial establishment fails to correct the violation within thirty (30) days, then the following monthly service rate surcharge(s) shall be assessed against the commercial customer receiving service from the City of Roslyn:

1. Failure to adopt a management plan – \$50
2. Failure to allow inspection – \$50
3. Failure to install required equipment or process – \$50
4. Failure to meet discharge standards – \$100
5. Failure to maintain records – \$50

The above-referenced service rate surcharges shall be subject to collection and enforcement as any other rates and charges of the City of Roslyn.

C. For each and every subsequent month that a commercial establishment is in violation of the City of Roslyn's FOG Management Program, the applicable service rate surcharge(s) shall double in amount until completion of the third month of violation. At that time, the City of Roslyn may terminate sewer service to the commercial customer until corrective action has been taken and the sewer service surcharges paid in full, or take such other actions as the City of Roslyn

deems appropriate to obtain compliance with the City of Roslyn's FOG Management Program and to collect the sewer service surcharges.

D. In the event that the City cleans a sewer main blocked by FOG originating from a commercial establishment, the commercial establishment shall reimburse the City for those costs.

13.11.060 Alternate Remedies.

This Chapter and the enforcement provided for herein is not intended to and does not limit or replace the City of Roslyn's common law, statutory, or equitable bases for recovery of damages suffered from the discharge of fats, oils, grease or sediment into the City of Roslyn's sewer system.

1311.070 Applicable Standards.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made above shall be determined at the control manhole in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage" Published by the American Public Health Association, the American Water Works Association, and the Water Environment Federation.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other person or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 11th DAY OF JULY 2017.

CITY OF ROSLYN



Brent Hals, Mayor

ATTEST/AUTHENTICATED:



Brandi Taklo, Clerk

