

ORDINANCE NO. 1510

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 13.12.010 AND 13.12.320 OF THE BONNEY LAKE MUNICIPAL CODE AND THE CORRESPONDING PORTIONS OF ORDINANCE NOS. 1266 AND 1333 RELATING TO FAT, OIL, AND GREASE DEPOSITS.

WHEREAS, to protect the sanitary sewer system from the harmful effects of fat, oil, and grease (FOG) deposits, the Bonney Lake Municipal Code regulates and limits said deposits from commercial establishments including restaurants; and

WHEREAS, the Bonney Lake City Council desires to update and refine the FOG ordinance to allow for more effective penalties for violations.

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

Section 1. Section 13.12.010 of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1333 are hereby amended to read as follows:

13.12.010 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms and words used in this code shall be as follows:

0. "Bed/bonus room" means any bedroom or other room such as a bonus room, den, or office in a multifamily dwelling that, in the opinion of the building official, could reasonably be converted to a bedroom.
1. "BOD" (biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure as described in the most current edition of Standard Methods for the Examination of Water and Waste Water in five days at 20 degrees Celsius expressed in milligrams per liter.
2. "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from sanitary waste floor drains and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

3. "Building sewer, connecting sewer or house lateral" means the private extension from the building drain to the public sewer or other place of disposal.
4. "City" means the City of Bonney Lake, Washington.
5. "Collection system" means the system of public sewers to be operated by the city designed for the collection of sanitary sewerage.
6. "Commercial user" means any premises used for commercial or business purposes which is not a residential user and not an industry as defined in this chapter. A commercial user is one who introduces primarily domestic wastes and wastes from sanitary conveniences into the sewer system.
7. "Council" means the council of the city of Bonney Lake, Washington.
8. "County" means Pierce County, Washington.
9. "Domestic waste" means any wastewater (sewage) emanating from a residence or from domestic activities performed outside the place of residence (in lieu of a home activity) by or for private citizens. The wastewater concentrations shall not exceed 250 mg/l BOD₅ and 250 mg/l SS.
10. "Duplex" means one structure containing two dwelling units.
11. "Dwelling unit" means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
12. "Finance director" means the finance director of the city of Bonney Lake or his agent.
13. "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
14. "Industrial user" means a nongovernmental user of the public treatment works identified in the Standards Industrial Classification Manual, 1972, Office of Management and Budget, as amended or supplemented.

15. "Industrial waste" means that portion of wastewater emanating from an industrial user which is not domestic waste or waste from sanitary conveniences.
16. "Inspector" means the person assigned by the City to inspect building sewer installation between the building and the public sanitary sewer line within the street. ~~Inspectors shall operate under the direction of the public works director.~~
17. "Lateral" means a public sewer which receives flow from one or more side sewers and discharges into a trunk or interceptor.
18. "Mayor" means the mayor of the City of Bonney Lake.
19. "Multifamily" means a single structure containing three or more dwelling units.
20. "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
21. "Occupant" means any person or owner in physical possession of a structure to which sewer service is available.
22. "Operation and maintenance" means all activities, goods and services which are necessary to maintain the proper capacity and performance of the sewage works for which such works were designed and constructed. The term "operation and maintenance" includes replacement as defined in this chapter.
23. "Permit" means an application for a printed and serially numbered form issued in quadruplicate by the city prior to construction of any side sewer.
24. "Person" means any individual, firm, company, association, society, corporation or group.
25. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions.
26. "Private wastewater disposal system/facility" means an individual sewer line and disposal system, or a community drainfield system that is privately owned and not connected to the city of Bonney Lake sewerage system. A private sewer wastewater

disposal system shall be allowed only when connection to the city of Bonney Lake sewer is not required by this chapter.

27. “Properly shredded garbage” means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half centimeter in any dimension.

28. “Public sewer” means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

29. “Public works director” means the public works director of the City of Bonney Lake or his authorized agent.

30. “Residential equivalent (RE)” means a system specific unit of measure used to express the amount of water and sewer consumed by a typical full-time single-family residence and is equivalent to one residential dwelling unit for purposes of computing connection charges and service rates. For the purposes of sewer usage, one RE shall be defined as a flow of 275 gallons per day with an average biological oxygen demand (BOD) of 246 mg/l and an average total suspended solids (TSS) of 269 mg/l.

31. “Residential user” means a single-family or multifamily structure.

32. “Residential wastewater pump” means a combination centrifugal pump and grinder unit for raw sewage service complete with piping, valves, controls starter, basis and all accessories required for a complete installation. Each pump station shall conform with the standards and specifications of the city of Bonney Lake.

33. “Sanitary sewer” means a sewer which carries sewage and to which stormwaters, surface waters, ground waters and other unpolluted waters are not intentionally admitted.

34. “Service connection” refers to the “side sewer” or pipeline with its appurtenances that branches off or connects the public lateral or trunk sewer in the right-of-way extending to the property line.

35. “Sewage” means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

36. "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

37. "Sewage works" means a pipe or conduit for carrying sewage.

38. "Sewer" means a pipe or conduit for carrying sewage.

39. "Shall" is mandatory. "May" is permissive.

40. "Side sewer" means the service connection.

41. "Slug" means any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration of flows during normal operation.

42. "Storm drain" (sometimes termed "storm sewer") means a sewer which carries stormwaters and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

43. "Suspended solids" means solids that either float on the surface of or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

44. "Single-family residence," for the purposes of water and sewer utilities, means a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit, it shall be deemed a single-family residence if it has direct access to a street and shares neither heating facilities nor hot water equipment, nor any other essential facility or service, with any other dwelling unit.

45. "User" means every person using any part of the public sewage works of the city of Bonney Lake.

46. "User charge" means the periodic charges levied on all users of the public sewage works and shall, at a minimum, cover each user's proportionate share of the cost of operation and maintenance to include replacement.

47. “Best management practices (BMP)” means a technique or methodology that, through experience and research, has proven to reliably lead to a desired result.

48. “Facility” means any food processing establishment, food sales establishment, or food service establishment.

49. “Fats, oils and greases (FOG)” are organic compounds derived from animal and/or plant sources that contain multiple carbon triglyceride molecules. These substances are detectable and measurable using analytical procedures established in Title 40 Code of Federal Regulations Part 136 (40 CFR 136). Commonly referred to as polar.

50. “Food” is any raw, cooked, or processed edible substance, ice, or ingredient used or intended for use or sale in whole or in part for consumption.

51. “Food processing establishment (FPE)” is a commercial establishment in which food is manufactured or packaged for consumption.

52. “Food sales establishment” means any retail and wholesale grocery stores, retail seafood stores, food processing plants, bakeries, confectioneries, fruit, nut and vegetable stores and places of business and similar establishments, mobile or permanent, engaged in the sale of food primarily for consumption off premises.

53. “Food service establishments (FSE)” means any establishment for the preparation and serving of meals, lunches, short orders, sandwiches, frozen desserts, or other edible products and/or are required to have a food business permit issued by Pierce County department of health. The term includes: restaurants, coffee shops, cafeterias, short order cafes, luncheonettes, taverns, lunchrooms, places which manufacture retail sandwiches, soda fountains, institutional cafeterias, catering establishments, food vending vehicles, and operations connected therewith; and similar facilities by whatever name called.

54. “Grease” is rendered animal fat, vegetable shortening, and other such oily matter used for the purposes of and resulting from preparing and/or cooking food.

55. “Grease removal unit” means a device designed to separate fats, oils, and grease from liquid waste prior to the wastewater entering the sanitary sewer system.

56. “Grease interceptor” means a plumbing appurtenance or appliance that is installed in a sanitary drainage system to capture FOG from a wastewater discharge, including Gravity Grease Interceptors (GGIs) and Hydro Mechanical Grease Interceptors (HGIs), an ~~interceptor whose rated flow exceeds 50 gallons per minute (gpm) to serve one or more fixtures and which is remotely located underground and outside of a food service facility. It is designed to collect, contain or remove food wastes and grease from the waste stream while allowing the balance of the liquid waste (“gray water”) to discharge to the wastewater collection system by gravity.~~

57. “Minimum design capability” means the design features of a grease interceptor and its ability to or the volume required to effectively intercept and retain greases from grease-laden wastewaters discharged to the sanitary sewer system.

58. “Polar (animal and vegetable origin)” means any water or waste which has visible fats, oils or grease floating on the surface or adhering to the sides of the sample containers.

59. “Rendering/disposal company” is a business that possesses a Pierce County pumper certification.

60. “Uniform Plumbing Code (UPC)” is what governs the requirements for the installation, alteration, removal, replacement, repair or construction of all plumbing.

61. “System development charge” or “SDC” means a fee charged to connect to the public sewer system, which represents the user’s equitable share of the cost of the system, pursuant to RCW 35.92.025.

62. “Gravity Grease Interceptor (GGI)” means an interceptor whose rated flow exceeds 50 gallons per minutes (gpm), has a minimum storage capacity of 500 gallons, and serves one or more fixtures, which is remotely located underground and outside of a food service facility. It is designed to collect, contain or remove food waste and grease from the sewer waste stream while allowing the balance of the liquid waste (gray water) to discharge to the wastewater collections system by gravity.

63. “Hydro Mechanical Grease Interceptor (HGI)” means an interceptor whose rated flow is less than 50 gallons per minute (gpm), which uses a combination of gravitational, fluid

motion, and other materials-separation techniques, air entrainment, interior baffling, and other barriers to collect, contain, or store FOG. These interceptors are usually located inside the facility.

64. "Oil/Water Separator" means a large capacity underground vault installed between a drain and the connecting sewer pipe. These vaults are designed with baffles or coalescing plates to trap sediments and retain floating oils.

Section 2. Section 13.12.320 of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1266 are hereby amended to read as follows:

13.12.320 FOG prevention requirements. ~~Grease, oil and sand interceptors.~~

~~A. New Facilities. On or after the effective date of the ordinance codified in this section,~~ any Grease interceptors required. All commercial establishments discharging liquid waste containing grease in excessive amounts, or any flammable wastes, sand, or other ~~harmful~~ ingredients that, in the opinion of the Mayor or Mayor's designee as set forth in BLMC 13.12.290 and 13.12.300, are harmful, shall be required to install, operate and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the requirements as described in BLMC 13.12.290 and 13.12.300 of this Section. The Mayor or Mayor's designee in coordination with the public works and community development departments, shall set the parameters to determine the type of grease interceptor required for each commercial establishment. Such parameters shall be designed to ensure that commercial establishments use grease interceptors that meet the city's grease control requirements as described in BLMC 13.12.290 and 13.12.300. The parameters shall also ensure the minimization of polar and non-polar fats, oils and greases in amounts that cause a visible sheen on the discharge or in the public sewer system; the build-up of grease in any public sewer facility; accumulations either alone or in combination with other discharges that cause obstruction of the public sewer system; and any water or waste which contains more than 100 parts per million by weight of fats, oils and grease as measured using analytical procedures established in 40 CFR Part 136.

~~B. Best management practices required. Existing Facilities with Grease Removal. On or after the effective date of the ordinance codified in this section, all existing commercial establishments discharging liquid waste containing grease in excessive amounts, or any~~

~~flammable wastes, sand or other harmful ingredients shall be permitted to operate and maintain existing grease interceptors or grease traps; provided, that the equipment is in efficient operating condition to maintain discharges of less than 100 ppm FOG. All such commercial establishments discharging FOG are required to develop and implement best management practices (BMPs) to reduce the quantity of fats, oil and grease discharged to the sanitary sewer collection system. The Mayor or Mayor's designee shall develop guidelines on best management practices, and shall make said guidelines available to regulated establishments. Any facilities that are known to cause grease-related cleaning activities in the sanitary sewer, a grease-related sanitary sewer overflow or fail to implement and enforce BMPs will be required to install a properly sized and functioning grease interceptor within 90 calendar days from notification by the city or as otherwise specified by other governing agencies. Grease interceptors shall be designed to meet the city's grease control requirements as described in BLMC 13.12.290 and 13.12.300 (polar and non-polar fats, oils and greases in amounts that cause a visible sheen on the discharge or in the public sewer system, a build-up of grease in any public sewer facility, which accumulations either alone or in combination with other discharges cause obstruction of the public sewer system, or any water or waste which contains more than 100 parts per million by weight of fats, oils and grease as measured using analytical procedures established in 40 CFR Part 136).~~

~~C. Existing Facilities without Grease Removal. Any commercial establishment discharging liquid waste containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients that are known to cause grease-related cleaning activities in the sanitary sewer or a grease-related sanitary sewer overflow or fail to implement and enforce BMPs will be required to install a properly sized and functioning grease interceptor within 90 calendar days from notification by the city or as otherwise specified by other governing agencies. Grease interceptors shall be designed to meet the city's grease control requirements as described in BLMC 13.12.290 and 13.12.300 (polar and non-polar fats, oils and greases in amounts that cause a visible sheen on the discharge or in the public sewer system, a build-up of grease in any public sewer facility, which accumulations either alone or in combination with other discharges cause obstruction of the public sewer system, or any water or waste which contains more than 100 parts per million by weight of fats, oils and grease as measured using analytical procedures established in 40 CFR 136).~~

CD. FOG Control Program. All ~~facilities~~ commercial establishments discharging FOG are required to submit and adhere to a FOG control program as part of the business license application process. The goal of the program is to implement reasonable and technically feasible controls of free-floating FOG. The basic components of the program ~~should~~ shall include:

1. A written program articulating management and corporate support for the plan and a commitment to implement planned activities and achieve established goals through the implementation and enforcement of best management practices;
2. A description of the facility type and a summary of the products made and/or service provided;
3. Quantities of fats, oils and grease brought into the facility, amounts contained in the product, and quantities discharged to the sanitary sewer;
4. A description of current reduction, recycling, and treatment activities. This includes a description of the type and capacity of pre-treatment equipment used to collect FOG prior to discharge into the City sewer system;
5. Schematics of the process areas illustrating drains, interceptors, and discharge points connected to the sanitary sewer;
6. Specific performance goals and implementation schedule; and
7. Initial training for new employees and refresher training every six (6) months.

DE. Enzymes, Bacteria and Other Agents. The direct addition into the building plumbing, grease trap or interceptor of enzymes, chemicals or other agents designed to emulsify the grease compounds is prohibited. ~~Grease trap or interceptor design and sizing criteria are based on gravimetric separation for grease and solids removal. The addition of enzymes or chemical emulsion agents would impede the gravimetric separation and defeats the purpose of the grease trap or interceptor.~~ Any attempt to modify the trap into a biological reactor by adding bacterial or microbial agents is also prohibited.

EF. Grease Interceptor Standards.

1. Grease interceptors are limited to one of two types:

- a. Hydro Mechanical Grease Interceptors (HGI); or
- b. Gravity Grease Interceptors (GGI).

~~12.~~ Each facility is solely responsible for the cost, installation, cleaning and maintenance of the grease interceptor;

~~23.~~ Grease interceptor sizing and installation shall conform to the requirements contained in the current edition of the Uniform Plumbing Code (UPC) or other criteria as determined by the Mayor or Mayor's designee on a case by case basis based on review of relevant information, including but not limited to grease interceptor performance, waste stream characteristics, facility location, maintenance needs, and/or inspection needs;

~~34.~~ The minimum storage capacity of any Gravity Grease Interceptor ~~is will be~~ 500 gallons. Supporting sizing calculations shall be submitted to the city for approval;

~~45.~~ Grease interceptors shall be installed in accordance with City Standard Details SS14;

~~56.~~ Grease interceptors shall be installed at a location where they are easily accessible for sample collection, inspection, and cleaning and removal of retained grease. ~~The grease interceptor may not be installed inside any part of the building and the location must meet the approval of the city;~~

~~67.~~ Grease interceptors shall be located in the ~~food service establishment's~~ lateral line between all fixtures which may introduce grease into the sanitary sewer and the connection to the sanitary sewer collection system. Such fixtures shall include but are not be limited to sinks, dishwashers, floor drains for food preparation and storage areas, mop sinks, and any other fixture which is determined to be a potential source of grease;

~~78.~~ Under no condition is any commercial or noncommercial establishment, or residential property allowed to discharge liquid waste containing grease, or any flammable wastes, or other harmful ingredients, in the opinion of the public works director ~~of public works~~ as set forth in BLMC 13.12.290 and 13.12.300, into a stormwater system;

~~89. In accordance with BLMC 13.12.290 and 13.12.300, g~~ Grease interceptors shall be equipped with a sampling port at the outlet of the interceptor. Inspection tees and manholes must enable the city to monitor and test the discharge for compliance with the city's codes and regulations;

10. Grease trap or interceptor design and sizing criteria are based on gravimetric separation for grease and solids removal.

~~GF.~~ Inspection. The City of Bonney Lake shall inspect grease interceptors and grease traps on both a scheduled basis and unscheduled, unannounced basis to determine whether the requirements set forth in this section are being met. Each establishment using a grease interceptor or grease trap shall allow city of Bonney Lake officials bearing proper credentials and identifications access at all reasonable times or during normal hours of operation ~~to all parts of the premises~~ for the purpose of inspection, observation, records examination, measurement, sampling and testing in accordance with the provisions of this section. Refusal to allow entry on-site, threatening behavior, and/or refusal to schedule an appointment for entry shall constitute a violation of this section. The city shall have the right to set up on any user's property devices necessary for conducting wastewater sampling inspection, compliance monitoring and/or metering operations. All costs for laboratory collection and analysis shall be the responsibility of the establishment. During inspection, at a minimum city officials shall consider the following:

1. Grease interceptors shall be considered out of compliance if the total volume of grease and solids displaces more than 10 percent of the effective volume of the final chamber of the interceptor. Grease interceptors must be serviced and emptied of accumulated waste content as ~~required maintaining~~ needed in order to maintain a minimum design capability or effective volume, but not less than once every 90 calendar days. ~~If a facility determines that cleaning every 90 calendar days is unnecessary in order to remain in compliance with requirements as described in BLMC 13.12.290 and 13.12.300, the facility may make a written application for a variance from the cleaning schedule;~~
2. Sanitary wastes ~~cannot~~ shall not be introduced into the grease interceptor;

3. Any facility that has a grease interceptor shall utilize a licensed rendering/disposal company to clean the interceptor and dispose of the waste;
4. Wastes removed from a grease interceptor shall be disposed of at a facility permitted to receive such waste. Neither grease, solids nor liquids removed from grease interceptors shall be returned to any grease interceptor, private sanitary sewer line, any portion of the sanitary sewer collection system or any portion of the stormwater system;
5. All facilities shall maintain a written record of inspection and maintenance activities and the rendering/disposal company manifest for a minimum of three years. All such records shall be submitted to the city and made available for on-site inspection during all operating hours;
6. Flushing the grease interceptor with large quantities of water in an effort to cause accumulated grease to pass through is prohibited; and
7. No debris or storage units shall be stacked or placed within a three-foot radius of the grease interceptor's access lids or sampling ports.

HG. Monitoring and Reporting. Each establishment with a grease interceptor or grease trap shall retain maintenance records showing at a minimum the date of service, volume pumped, name of waste hauler, and waste disposal location for each grease removal device located on the premises. The records shall be kept a minimum of three years and provided to the city upon request.

HI. ~~Enforcement. Notice of Violation and opportunity to cure noncompliant condition.~~ In the event that a grease interceptor or other grease removal device fails a visual or effluent sample analysis inspection, or any other condition exists that does not comply with this Chapter, the user shall be given written notice of the noncompliant condition and must take immediate steps to bring the grease interceptor or other grease removal device into compliance. The City-issued Notice of Violation (NOV) shall set a time limit for compliance of twenty-one calendar days after the NOV is issued; however, the NOV time limit may be adjusted in a way that is appropriate to the nature and degree of noncompliance, the nature of the needed repairs, and whether the noncompliance creates the need for emergency repairs. The user is responsible for all associated costs.

~~I. Failure on the part of any user to maintain continued compliance with any requirements set forth in this section may result in the initiation of enforcement action. Such enforcement action may include but is not limited to a warning letter, notice of violation (NOV), administrative fine or facility closure as outlined in BLMC 1.16.010 and 1.16.020. Failure to respond to corrective measures outlined in any enforcement notice may result in the user's termination of service to the sewer system owned, operated and maintained by the city of Bonney Lake.~~

1. First violation. Upon discovery of a condition that does not comply with this Section, the City shall send the violator an NOV with reference to the type of noncompliant condition. Failure to cure the noncompliant condition within the time prescribed in the NOV shall constitute a first violation and result in a \$500 fine.

2. Second violation within twelve months of receiving an NOV: An additional fine of \$1,000.

3. Third violation within twelve months of receiving an NOV: An additional fine of \$2,000.

4. Fourth and subsequent violations within twelve months of receiving an NOV: An additional fine of \$4,000.

5. For purposes of this subsection, a "violation" shall be deemed to occur upon failure to cure a noncompliant condition within the time prescribed in an NOV. The third issuance of a NOV for the same or similar noncompliant condition within 12 months shall result in a fine of \$1,500, even if the violations are corrected.

6. Termination of Service. In addition to the foregoing penalties and not in any way a limitation thereof, chronic violators who incur six (6) or more NOV's in a twelve month period may be subject to termination of water service by the city.

7. If an obstruction of the sanitary sewer collection system occurs that causes a sanitary sewer backup and/or overflow and such overflow ~~can be~~ is attributed in part or in whole to an accumulation of grease in the sanitary sewer main line, the

city of Bonney Lake will take appropriate enforcement actions, ~~as stipulated in BLMC 1.16.010 and 1.16.020,~~ against the generator or contributor of such grease. These actions may include a civil action for recovery of all costs associated with clean-up activities and repair of any damaged facilities, ~~finer, civil penalties or a discontinuance of sanitary sewer service.~~

8. Any person who knowingly makes any false statements, representation, record, report, or other document filed with the city or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this document is subject to administrative fines or facility closure as outlined in BLMC 1.16.010 and 1.16.020.

9. Appeals. Issuance of an NOV and penalties shall be subject to appeal. An appeal may not be filed simply because the violator does not want to pay a penalty. In order for an appeal to be filed and considered, the appellant must have a basis for appeal and be able to document that City inspectors erred in finding the establishment to be out of compliance with the standards and practices outlined in this Chapter. Requests for appeal shall be in writing, addressed to the Mayor or designee, submitted within 15 calendar days of the NOV or penalty, and accompanied by an appeal fee of \$50. The request for appeal shall set forth the basis of the dispute and the facts supporting the appeal. The appeal shall be heard by the Mayor or designee within 60 calendar days. After the hearing, the Mayor or designee shall uphold, modify, or reverse the decision. The written decision shall be sent by certified mail to the appellant. The decision on appeal shall be final.

¶ I. Exemptions. The Mayor or Mayor's designee may approve exemptions to the procedures set forth in this section upon request by a business and upon confirmation by the director, in his sole discretion, that such exemption is warranted. Criteria for approval of such an exemption may include businesses that do not cook food on site and as a result do not generate more grease than a single-family residence does. The Mayor or Mayor's designee may condition approval of an exemption upon terms that he deems appropriate under the circumstances. ~~Written requests and justification for such an exemption are~~

~~required from such a business.~~ Any business seeking such an exemption shall submit a written request and justification to the Mayor or Mayor's designee.

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 4. Administration. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the legislative intent of this ordinance.

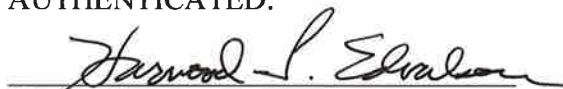
Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after its passage, approval, and publication as required by law.

PASSED by the City Council and approved by the Mayor this 24th day of February, 2015.



Neil Johnson, Jr., Mayor

AUTHENTICATED:


Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:


Kathleen Haggard, City Attorney

Passed: 2/24/2015
Valid: 2/24/2015
Published: 3/4/2015
Effective Date: 3/26/2015
This Ordinance totals 16 page(s)

AB15-19

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 24 February 2015	Agenda Bill Number: AB15-19
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D15-19	Councilmember Sponsor: Donn Lewis

Agenda Subject: Amendment to BLMC Section 13.12 Related to Fat, Oils and Grease (FOG) deposits into the Sewer System.

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Sections 13.12.010 And 13.12.320 Of The Bonney Lake Municipal Code And The Corresponding Portions Of Ordinance Nos. 1266 And 1333 Relating To Fat, Oil, And Grease Deposits.

Administrative Recommendation: Approve

Background Summary: With a few businesses, it has been difficult to obtain compliance with the FOG regulations. The current code makes non-compliance a criminal misdemeanor offense. It is recommended that a progressive system of fines would be a better enforcement and compliance method than criminal charges. It is recommended that Council update and refine the FOG ordinance to allow for more effective penalties for violations. Executive, public works, and legal staff have been working on this issue and code update for some time.

Attachments: Ordinance No. D15-19

BUDGET INFORMATION

Budget Amount	Current Balance	Required Expenditure	Budget Balance
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Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:	Community Development	<i>Approvals:</i>	Yes	No
	Date: 17 February 2015	Chair/Councilmember	Donn Lewis	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember	Randy McKibbin	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember	James Rackley	<input checked="" type="checkbox"/> <input type="checkbox"/>
	Forward to: City Council	Consent		
		Agenda:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Commission/Board Review:

Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 24 February 2014	Tabled to Date:

APPROVALS

Director: <i>Dan Grigsby, P.E.</i>	Mayor: <i>Neil Johnson Jr.</i>	Date Reviewed by City Attorney: 18 February 2015 (if applicable):
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