

ORDINANCE NO. 2024-0675

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SPOKANE COUNTY, WASHINGTON AMENDING SPOKANE COUNTY CODE CHAPTERS 8.03, 8.03A TO ADOPT CHANGES TO THE SANITARY SEWER CODE PERTAINING TO FATS, OILS, AND GREASE, REMOVING THE REQUIREMENT FOR AN EXECUTED SEWER CONNECTION CHARGE AGREEMENT, REVISING CERTAIN SCHEDULES TO START BILLING OF SEWER CONNECTION CHARGES AND MONTHLY SEWER SERVICE FEES, ADDING A REQUIREMENT TO SUBMIT ELECTRONIC DOCUMENTS AND SIGNATURES FOR CUSTOMERS IN THE INDUSTRIAL PRETREATMENT PROGRAM, AND TO MAKE OTHER CLERICAL EDITS.

WHEREAS, pursuant to the Constitution and laws of the State of Washington, Spokane County, Washington ("County") is a class A county duly organized and existing; and

WHEREAS, pursuant to RCW 36.01.030, the powers of Spokane County can only be exercised through the Board of County Commissioners of Spokane County, Washington ("Board"); and

WHEREAS, pursuant to RCW 36.32.120(6), the Board has the care of County property and the management of County funds and business; and

WHEREAS, pursuant to RCW 36.32.120(7), the Board may make and enforce, by appropriate resolutions or ordinances, all such policy and sanitary regulations as are not in conflict with state law; and

WHEREAS, pursuant to RCW 36.94.130, the Board may adopt reasonable rules and regulations governing the construction, maintenance, operation, use, connection and service of the County system of sewerage; and

WHEREAS, pursuant to chapter 8.03 SCC, the Board has adopted the Sanitary Sewer Code in the County; and

WHEREAS, pursuant to chapter 8.03A SCC, the Board has adopted pretreatment regulations ("Industrial Pretreatment Program") in the County; and

WHEREAS, the Environmental Services Administrator has recommended changes to the Sanitary Sewer Code pertaining to fats, oils, and grease; and

WHEREAS, the Environmental Services Administrator has also recommended changes to the Industrial Pretreatment Program pertaining to electronic reporting; and

WHEREAS, after holding a public hearing, the Board finds that the above Spokane County Code chapters should be amended to adopt said changes to the Sanitary Sewer Code and Industrial Pretreatment Program.

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of Spokane County, Washington that chapters 8.03 and 8.03A of the Spokane County Code be amended as provided in the attachments hereto.

PASSED AND ADOPTED this 29th day of October, 2024.

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

Mary L. Kuney, Chair

Josh Kerns, Vice-Chair

Al French, Commissioner

ATTEST:

Amber Waldref, Commissioner

Ginna Vasquez, Clerk of the Board

Chris Jordan, Commissioner

EXHIBIT "A"

Amendments to Spokane County Code Chapters 8.03 and 8.03A

Effective December 1, 2024

The proposed amendments to Spokane County Code (SCC) Chapters 8.03 and 8.03A are set forth below. In amendatory sections, new matter is underlined and deleted matter is ~~lined out~~.

CHAPTER 8.03 – SANITARY SEWER CODE

ARTICLES 1000 AND 2000 – DEFINITIONS

8.03.1945 – Special connection charge.

The "special connection charge" is a connection charge to be collected by the county under section 8.03.8280. The special connection charge is a charge equal to the product of A x B, where:

"A" represents the special connection charge rate as given in section 8.03.8280~~bc~~; and

8.03.2164 – Grease

"Grease" means liquid or other waste containing floatable and/or dispersed grease, vegetable oil, petroleum oil, non-biodegradable cutting oil, fat, oil or grease products of animal, or vegetable or mineral origin which is detectable and measurable in wastewater.

8.03.2165 – Yellow Grease

"Yellow grease" means grease, which is associated with food preparation or processing that has not been contaminated with wash water or chemicals. Common examples include used cooking and fryer oils.

ARTICLE 3000 – GENERAL REQUIREMENTS

8.03.3040 – On-site sewage disposal systems- Policy to limit.

- f. Upon the connection to the county's general sewerage system or the end of the connection period established by the director (in accordance with subsection e.2. of this section), whichever is earlier, the owner, agent, or occupant shall ~~make acceptable arrangements for the payment of the applicable sewer connection charges and~~ commence payment of the applicable sewer connection charges and monthly sewer service fee. Delinquent connection charges and/or the monthly sewer service fee shall be subject to lien.

ARTICLE 5000 – GREASE CONTROL DEVICES, OIL/WATER SEPARATORS, SAND TRAPS

8.03.5010 – Grease

- A. No user shall discharge, cause, or allow any grease or wastewater containing grease from a facility into the sanitary sewer system. Any wastewater containing grease must be processed through a grease control device prior to discharge.

- B. No user shall discharge, cause, or allow any yellow grease, or any waste or material mixed with yellow grease, into the sanitary sewer system from a facility.
- C. No user shall allow yellow grease from a facility to be mixed with grease control device waste.

8.03.5080 - Grease control devices, oil/water separators, sand traps—Maintenance

- B. Grease control devices, oil/water separators, and sand traps shall be cleaned on a sufficient frequency to prevent objectionable odors, surcharge of the grease control device, obstruction, or interference with the operation of the sanitary sewer system. All devices must be maintained as described below, or in a manner and frequency consistent with manufacturer specifications and guidance.
 - 1. Hydromechanical grease interceptors shall be cleaned at least once every thirty days, or when the device is filled to twenty-five percent or more of capacity with grease or settled solids, whichever comes first. ~~or based on the operational thresholds of the device manufacturer.~~
 - 2. Gravity grease interceptors shall be cleaned by a wastewater hauler at least once every ninety days, or when their last chamber is filled to twenty-five percent or more of capacity with grease or settled solids, whichever comes first. Grease interceptors with a sample box shall be cleaned immediately when grease is evident in the sample box.
 - 3. Mechanical grease removal devices must be maintained in a manner and frequency consistent with manufacturer specifications and guidance.
 - 4. Oil/water separators and sand traps shall be serviced by a licensed ~~hazardous~~ waste disposal company when the inlet chamber sediment in the bottom of the device exceeds six inches in depth of sludge accumulation, when accumulated trash or debris is observed, or when there is one inch or more of floating oil ~~in either chamber,~~ whichever comes first.

ARTICLE 6000 – SEWER CONSTRUCTION

8.03.6160 – Eligibility for sewer connection permit.

- e. Except as specifically authorized by the director, sewer connection permits will not be issued until the public sewer system serving the premises has been accepted for operation by the director. In some cases, ~~connection agreements,~~ fees or engineered plans approved by the public works department may be required before the director will authorize issuance of the sewer connection permit.

ARTICLE 7000 – SPECIAL CONDITIONS

8.03.7020 – Temporary sewer connections.

- c. After two years, the connection shall be deemed permanent unless an extension is requested and approved by the director. Once deemed permanent, the sewer connection permit will be amended to designate the connection as permanent and the current sewer connection charges shall be due.

ARTICLE 8000 – RATES, FEES AND CHARGES

8.03.8080 – Sewer connection ~~charges.~~ agreements

Chapter 8.03 provides specific rules regarding various sewer connection charges that are required to be paid when a property is connected to the county's sewer system or included within the boundary of a sewer project.

~~Generally, the property owner will be required to execute a sewer connection charge agreement on a form provided by the county before~~ When a sewer connection permit is ~~will be issued, the county will provide a sewer connection charge disclosure which details the required sewer connection charges for the property.~~

~~The requirement to execute a sewer connection charge agreement may be waived by the director when the property is included within the boundary of a sewer project and when all applicable sewer connection charges are assigned to the parcel in advance of the actual connection of the property to the sewer.~~

The sewer connection charges will be billed on a monthly payment plan pursuant to the details provided on the sewer connection charge disclosure. The monthly billings for sewer connection charges shall commence on the next billing cycle following "completion of the sewer connection" or as described below. ~~execution of the agreement. However, the owner may elect to be billed for the full amount of the sewer connection charges on the next billing cycle, and in so doing shall decline the option of a monthly payment plan for the charges.~~

In the case of new single family, duplex or commercial building construction, the monthly billing of sewer connection charges will be ~~may be~~ deferred for a period of twelve ~~nine~~ months after the building permit is issued or after the issuance of the Certificate of Occupancy, whichever comes first. The remaining balance owing may be paid in full at any time. ~~The owner may indicate on the sewer connection charge agreement form that he/she has elected the option to commence billing of connection charges nine months after completion of the sewer connection. For the purposes of this section, "completion of the sewer connection" shall mean the point in time at which any wastewater generated within the building would be discharged to the sewer system.~~

In the case of ADUs or any increase in ERUs on a parcel with an existing account, no deferral of sewer connection charges will be allowed.

In the case of new multi-family building construction, the monthly billing of sewer connection charges will be deferred until the Certificate of Occupancy has been issued for the final building in the complex.

8.03.8100 – Capital facilities rates (CFR).

The "capital facilities rate" or "CFR" is assigned to a property within the CFR boundary to recover an equitable share of the cost of acquiring, designing, constructing and installing the system of sewerage. The CFR has four components: (1) the "construction cost component," representing an equitable share of cost of the county's local sewage collection system, not including general facilities; (2) the "bond issuance component," representing an equitable share of bond issuance costs and debt service reserve account deposits that were financed; (3) the "GFC component"; and, (4) the "interest component," representing the total interest costs

associated with the financing of components (1), (2), and (3) above. The CFR components described above will be computed on a "per-ERU" basis

8.03.8110 – CFRs assigned to properties prior to February 1, 2016.

- d. The county shall assign CFRs for uses that existed on the property at the time of the initial CFR assignment, but, were inadvertently excluded from the initial CFR assignment for that property. The CFR for those pre-existing ERUs shall be based on the CFR originally established for the associated annual sewer construction program. ~~However, in~~ In these situations the ~~county will establish~~ owner may select a payment plan as provided in section 8.03.8125 (ref. section 8.03.8120).

8.03.8125 – CFRs Assigned to Properties for New Uses On or After February 1, 2016.

~~The owner of the property shall be required to pay or make arrangements for payment of the property owner shall be required to execute a~~ sewer connection charges ~~charge agreement~~ pursuant to section 8.03.8080 for CFRs assigned to new uses on or after February 1, 2016.

For CFRs assigned on or after February 1, 2016, the monthly construction cost component per ERU will be equal to the special connection charge rate per ERU in effect at the time the CFR is assigned to the property, (Section 8.03.8280(c)), ~~(Section 8.03.8280(b))~~ divided by the two hundred forty months in the billing period.

8.03.8140 – Billing of CFRs.

- b. When CFRs are assigned to a parcel for new uses, the county shall initiate monthly billings of the CFR ~~in accordance with the terms established on the executed sewer connection charge agreement. In the absence of a fully executed sewer connection charge agreement,~~ the county shall commence billing the applicable CFR, with interest component, based on a two hundred forty-month billing period and in accordance with a schedule determined by the director.

8.03.8200 – Increase in ERUs allocated to a parcel after CFR billing commences.

- b. When the number of ERUs have increased and an additional CFR is payable, the county will notify the property owner of the increased charges and payment options available. The property owner may prepay the construction cost component and the GFC component (as such phrases are defined in section 8.03.1135) of the new CFR charges. The owner will be required to ~~pay all~~ execute a sewer connection ~~charges charge agreement~~ pursuant to section 8.03.8080.
- c. ~~When additional sewer connection charges are incurred by a parcel with an existing sewer account. When the owner requests consolidation of the additional charges related to an increase in ERUs with their current payment plan,~~ the county will combine the new charges with the remaining balance on the current payment plan, deducting therefrom the balance of any "bond issuance component", and shall establish a new two hundred forty-month payment plan. The balance of any "bond issuance component" will be billed as a lump sum on the next sewer billing. The owner of the property will be required to pay or make arrangements for payment of all ~~will be required to execute a~~ sewer connection charges ~~charge agreement~~ pursuant to section 8.03.8080.

- d. ~~If the owner selects a payment plan for the CFR charges, these charges may be prepaid at any time, in accordance with section 8.03.8180.~~

8.03.8240 – Activation of public dryline sewers.

Property owners will be required to pay or make arrangements for payment of ~~afforded the opportunity to select a payment option for their sewer connection charges pursuant to section 8.03.8080, as provided in this chapter.~~

8.03.8250 – Parcels inside a future sewer project connecting to existing public sewer.

- b. The property owner shall be required to pay or make arrangements for payment of their sewer connection charges pursuant to ~~afforded the same payment options that are established in section 8.03.8280. The property owner will be required to execute a sewer connection charge agreement in accordance with section 8.03.8080, establishing the payment provisions for the applicable sewer connection charges prior to the issuance of a sewer permit.~~

8.03.8260 – Unbuildable parcels.

The director may designate parcels as "unbuildable" (due to grade, slope or other factors) and exempt such parcels from sewer connection charges and sewer service fees. Parcels designated as unbuildable may not be provided a side sewer stub. If a parcel's condition changes in such a manner that it is no longer deemed "unbuildable" by the director, then the property owner will be required to pay or make arrangements for payment of the applicable connection charges in accordance with this chapter. Owner shall also be responsible for the installation of an acceptable sewer service stub, if none is available.

8.03.8280 – Special connection charges.

- a. The owner will be required to pay or make arrangements for payment of all sewer connection charges pursuant to section 8.03.8080. ~~The owner of any property that 1) is not subject to a capital facilities rate or a trunk charge, and 2) has not been assessed as part of a utility local improvement district (ULID) will be required to make arrangements for payment of the special connection charge prior to making a connection to the county's system of sewerage. In addition, the property owner must make arrangements to pay the applicable GFCs in accordance with section 8.03.8300.~~
- b. ~~The property owner shall indicate the payment option selected on the sewer connection charge agreement form provided by the county prior to the issuance of a sewer connection permit for the property pursuant to section 8.03.8080.~~
- bc. ~~In the absence of a fully executed sewer connection charge agreement, the~~ The county shall commence billing the applicable special connection charge, GFC, and interest charges based on a two hundred forty-month billing period as stipulated in paragraph (d) ~~(e)~~ of this section.
- cd. The special connection charge represents a proportionate and equitable share of the capital cost of those portions of the county's sewerage system that do not comprise general facilities. The special connection charge due for parcels connecting to public sewer, in accordance with Article 7000 of this chapter, will be determined in accordance with the rates

shown below. However, the director may use an alternate method to compute the special connection charge which he/she deems to more fairly reflect a parcel's proportionate share of the capital costs described herein.

- de. When a special connection charge is assigned to a parcel, the ~~director may allow~~ payment of the total special connection charge and GFC for that parcel, less any prepayments, shall occur monthly over a billing period of two hundred forty months subject to an annual interest rate of six percent. ~~Under this payment option, M~~monthly billings shall include a special connection charge component, a GFC component, and an interest component. The total monthly billing components amount shall be calculated using the standard capital recovery formula (see section 8.03.1960). The remaining balance owing may be paid in full at any time. ~~The property owner may request a bill for the balance of the special connection charge and GFC at any time in order to pay the remaining balance in full.~~
- ef. The special connection charge shall be subject to the lien, interest, penalty and collection provisions set forth in section 8.03.9040.
- fg. ~~The property owner shall pay or make arrangements for payment of county shall bill the special connection charge in accordance with the terms established on the sewer connection charge agreement executed pursuant to section 8.03.8080.~~
- gh. A property owner may request a deferral of the payment of his/her monthly special connection charges, together with the associated monthly GFC and interest components, for their principal residence at any time during the scheduled billing period, provided the conditions in section 8.03.8190 are met.
- hi. In the event the county determines that the total number of ERUs allocable to a parcel has increased after the initial special connection charges and GFCs have been paid, or after the monthly billing of sewer connection charges under a payment plan has commenced, the owner of such parcel shall be required to pay or make arrangements for payment of additional special connection charges, together with the associated additional GFCs. The options for payment of the additional charges shall be the same as those provided under section 8.03.8200 for the payment of additional CFRs.

8.03.8290 – Trunk charge.

- e. In addition, the property owner shall pay or make arrangements for payment of any applicable GFCs due in accordance with section 8.03.8320.
- f. The property owner shall pay or make arrangements for payment of all ~~execute a sewer connection charges charge agreement pursuant to section 8.03.8080. indicating the payment option selected for the applicable charges.~~

8.03.8460 – GFC payment procedures.

- f. Payment Options.
 - 1. The balance of GFCs owing shall ~~may be~~ prepaid or paid in full at any time. In order to prepay or pay the GFCs in full, the property owner shall request a billing for the GFC balance from the county.

3. ~~In the event that a payment plan is selected by the property owner, the~~ The GFC portion of the monthly billing shall be subject to interest and penalties, as provided in section 8.03.9050 of this chapter should it become delinquent.
4. ~~The county shall bill the applicable GFCs in accordance with the terms established on the executed sewer connection charge agreement. In the absence of a fully executed sewer connection charge agreement, the county shall commence billing the applicable GFC and interest charges based on a one hundred twenty-month billing period.~~

8.03.8520 – Sewer service fees.

- b. ~~For multifamily structures billed on a single account, billing of sewer service fees for all units within the structure or phase of development will commence when any the structure or phase first reaches fifty percent occupancy.~~
- e. ~~For all other newly constructed buildings, billing of sewer service fees will be deferred for a period of twelve months after the building permit is issued or after the issuance of the Certificate of Occupancy, whichever comes first. commence nine months after the building has been connected to the sewer system. For purposes of this section, "connection" shall be defined as "the point in time at which any wastewater generated within the building would be discharged to the sewer system.~~

8.03.8537 – Calculation of sewer service fees and sewer connection charges for car washes.

Sewer service fees and connection charges for automated car care and/or truck wash installations shall be calculated based on seventy-five percent of the average monthly non-irrigation water usage, to account for the high levels of water "carry off" and evaporation associated with these facilities.

8.03.8560 – Administrative fees for sewer extension agreements with reimbursement provisions.

- a. For sewer extension agreements executed pursuant to section 8.03.7140(a) ~~8.03.7140(a)(1)(A)~~ of this chapter:

CHAPTER 8.03A - PRETREATMENT

ARTICLE 4 – REPORTING REQUIREMENTS

8.03A.0412 – Electronic Reporting

The Spokane County Industrial Pretreatment Program accepts electronic documents and signatures using a system compliant with 40 CFR Part 3 (Cross-Media Electronic Reporting). Users that are required to send electronic documents and signatures to the County to satisfy the requirements of this Chapter must submit a signed Subscriber Agreement to the County for approval and register online for the reporting service that the County has available.