

ORDINANCE 2016-3

AN ORDINANCE OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT (DISTRICT) ESTABLISHING FATS, OILS AND GREASE (FOG) FEES FOR FOOD AND BEVERAGE ESTABLISHMENTS

WHEREAS, the State Water Resources Control Board (SWRCB) adopted Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (WDR), Order No. 2006-0003, which prescribes general waste discharge requirements prohibiting sanitary sewer overflows (SSOs) by sewer collection agencies; and

WHEREAS, the leading causes of SSOs in California, and the Mendocino City Community Services District service area are grease blockages; and

WHEREAS, SSOs caused by the discharge of wastewater containing high levels of fat, oils and grease (FOG), suspended solids, pathogenic organisms, and other pollutants, may cause temporary exceedance of applicable water quality objectives of the District's National Pollutant Discharge Elimination System (NPDES) permit and the WDR, and pose a threat to the public health, adversely affect aquatic life, and impair the public recreational use and aesthetic enjoyment of surface waters within the District's service area; and

WHEREAS, WDR Order No. 2006-0003 required the District to monitor and control SSOs and to develop a FOG Control Program by February 1, 2010; and

WHEREAS, in light of the overwhelming evidence that FOG is a primary cause of SSOs, the District implemented a FOG Control Program to prevent SSOs; and

WHEREAS, the regulations adopted in FOG Ordinance 09-3 require Food and Beverage Establishments to install grease control devices or interceptors from the effective date of those regulations; and

WHEREAS, the Board of Directors finds that specific enforcement provisions must be adopted to govern discharges of wastewater to the District's system by Food and Beverage Establishments; and

WHEREAS, the District is authorized to impose fees for services which do not exceed the District's actual cost of providing these services.

NOW, THEREFORE, the Board of Directors does hereby ordain as follows:

The fees for implementation of the District's Fats, Oils, and Grease (FOG) Program shall be, and hereby are, established as set forth in Attachment "A" to this ordinance, which is hereby incorporated by reference as if set forth in full; and

The District may by ordinance, from time to time, revise and adjust the amount of said fees shown on Attachment "A".

This ordinance shall be published once in the Mendocino Beacon, a newspaper of general circulation published within the District. The fees contained hereby shall take effect January 1, 2017.

This Ordinance was introduced at a meeting of the Board of Directors on October 31, 2016, and adopted by the Board of Directors on November 28, 2016 by the following vote:

AYES: Directors Kerstein, Stubbs, Hauck and Schwartz

NOES: None

ABSENT: Director Kraynek

Roger Schwartz
President of the Board

ATTEST:

Jodi Mitchell
District Secretary

ATTACHMENT A TO ORDINANCE 2016-3

Mendocino City Community Service District
Fats, Oils, and Grease (FOG) Program Fees

	Activity	Minimum Fee / Actual Cost
1	Annual GCD Inspection	\$96/year
2	Annual Best Management Practices Inspection	\$96/year
3	New GCD Inspection	\$96
4	Engineering Rate for GCD Sizing	\$110/ hour
5	Engineering Rate for GCD Approval	\$110/ hour
6	Annual Grease Disposal Mitigation Fee	\$419.65/ year