

EXHIBIT “B”

Amendments to Spokane County Code Chapters 8.03 and 8.03A

Effective September 26, 2023

The proposed amendments to Spokane County Code (SCC) Chapter 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

Chapter 8.03.1010 is amended as follows:

8.03.1010 – Abbreviations.

The following abbreviations have the designated meanings:

ADU	Accessory Dwelling Unit
BOD	Biochemical Oxygen Demand
CFR	Capital Facilities Rate
CWMP	Comprehensive Wastewater Management Plan
ERU	Equivalent Residential Unit
<u>FOG</u>	<u>Fats, oil, and grease</u>
GFC	General Facilities Charge
gpd	gallons per day
L	liter
MCRR	Monthly Capacity Rental Rate
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
POTW	Publicly Owned Treatment Works
RCW	Revised Code of Washington
SCC	Spokane County Code
SCRWRF	Spokane County Regional Water Reclamation Facility

TKN	Total Kjeldahl Nitrogen
TP	Total Phosphorus
TSS	Total Suspended Solids
ULID	Utility Local Improvement District
USC	United States Code
WAC	Washington Administrative Code
WTPC	Wastewater Treatment Plant Charge

Chapter 8.03.1180 is amended as follows:

8.03.1180 - Comprehensive Wastewater Management Plan Implementation Procedures.

The "Comprehensive Wastewater Management Plan Implementation Procedures" (CWMP Implementation Procedures) refers to those procedures adopted by the Public Works Department ~~Environmental Services Department~~ to implement and manage those wastewater management policies of a procedural nature in the CWMP.

Chapter 8.03.1250 is amended as follows:

8.03.1250 Grease Control Device(s). ~~interceptor(s)~~.

"Grease control device(s) ~~interceptor(s)~~" means an appurtenance or appliance that is installed in a sanitary drainage system to intercept non-petroleum fats, oil, and grease (FOG) from wastewater. There are three ~~two~~ types of grease control devices ~~interceptors~~: gravity grease interceptors, ~~and~~ hydromechanical grease interceptors, and mechanical grease removal devices.

Chapter 8.03.1310 is amended as follows:

8.03.1310 - Lateral or Lateral Sewer.

"Lateral" or "Lateral Sewer" is a sewer to which side or private sewers may be connected from adjacent or vicinal properties. The service area for a lateral is determined by the Director, based upon generally accepted engineering practices and subject to the practice of the Public Works Department ~~Environmental Services Department~~.

Chapter 8.03.1800 is deleted.

~~8.03.1800 - Septage Hauler.~~

~~"Septage hauler" is a firm permitted by the Spokane Regional Health District to perform septic pumping services within the county and has been permitted by the county, pursuant to the county's Septage Receiving Plan, to discharge "acceptable septage" at the SCRWF at the adopted charges. See Sections 8.03.1020 and 8.03.8570 and 8.03.8575.~~

~~(Res. No. 19-0917, 3-26-2019; Res. No. 16-0044, 1-12-2016; Res. No. 11-0720, 8-16-11)~~

Chapter 8.03.2157 is added as follows:

8.03.2157 – Wastewater Hauler.

“Wastewater hauler” is a firm permitted to collect and transport materials removed from onsite grease control devices or septic tanks that may be discharged to a local POTW or discharged to a rendering facility. The Public Works Director may approve industrial waste on a case-by-case basis.

Chapter 8.03.2158 is added as follows:

8.03.2158 – Oil/Water Separator.

“Oil/water separator” means an appurtenance or appliance that is installed in a sanitary sewer drainage system to intercept petroleum fats, oils, and grease (FOG) from wastewater. There are two types of oil/water separators: baffle type separators and coalescing plate separators.

Chapter 8.03.2159 is added as follows:

8.03.2159 – Sand Trap.

“Sand trap” means an appurtenance or appliance that is installed in conjunction with an oil/water separator to intercept settleable granular particles from wastewater.

Chapter 8.03.2160 is added as follows:

8.03.2160 – Grease Interceptor.

“Grease interceptor” means a large tank installed underground and designed to collect and control solid-food wastes and floating grease from wastewater prior to discharge into the sanitary sewer collection system. Grease interceptors are normally installed outside the building and use gravity to separate grease from the wastewater as it moves from one compartment of the interceptor to the next.

Chapter 8.03.2161 is added as follows:

8.03.2161 – Hydromechanical Grease Interceptor.

“Hydromechanical grease interceptor” or “grease trap” means a device placed under or in close proximity to sinks or other fixtures likely to discharge grease in an attempt to separate, trap and hold oil and grease substances, prior to discharge into the sanitary sewer collection system.

Chapter 8.03.2162 is added as follows:

8.03.2162 – Mechanical Grease Removal Device.

“Mechanical grease removal device” means a power operated device or combination of devices using electrical equipment to heat, filter, siphon, skim or otherwise separate and retain floating grease and solid food waste prior to the wastewater exiting the trap and entering the sanitary sewer collection system.

Chapter 8.03.2163 is added as follows:

8.03.2163 – Septic Tank.

"Septic tank" means a watertight treatment receptacle receiving the discharge of sewage from a building sewer or sewers, designed and constructed to permit separation of settleable and floating solids from the liquid, detention and anaerobic digestion of the organic matter, as part of an on-site sewage disposal system.

ARTICLE 3000— - GENERAL REQUIREMENTS

Chapter 8.03.3060 (c) is amended as follows:

8.03.3060 - Proper Connection of All Premises.

- c. The side sewer provided shall connect the buildings, structures, and all toilets, commercial grease interceptors, oil/water separators, sand traps, pipes and fixtures therein used as a receptacle of or conductor of wastewater, to the public sewer. All drywells, cesspools, septic tanks or other on-site sewage disposal facilities shall be bypassed, and such facilities shall be removed or abandoned according to Spokane Regional Health District and Spokane County Public Works Spokane County Environmental Services Department regulations and/or standards. (Cross References: Sections 8.03.1835, 8.03.6220)

Chapter 8.03.3085 (a) is amended as follows:

8.03.3085 – Private Sewers – Serving More Than One Property,

- a. A private sewer service line may be allowed to be jointly used by no more than three (3) private properties or an equivalent of three (3) dwelling units ~~with approval of the Director.~~ Approval is contingent upon the execution of approved documentation specifying the lots or parcels jointly using the private sewer. The approved executed document shall be recorded with the Spokane County Auditor's Office. Approval by the Director is required for projects proposing four (4) or more private properties or ERU's to be served by a shared private sewer line.

ARTICLE 5000— - GREASE CONTROL DEVICES INTERCEPTORS, OIL/WATER SEPARATORS, SAND TRAPS

Chapter 8.03.5020 is amended as follows:

8.03.5020 Grease Control Devices ~~Interceptors~~.

Any commercial ~~food~~ facility which generates grease waste including but not limited to hotels, boardinghouses, restaurants, or food processing facilities, shall ~~include~~ install an approved type of grease control device ~~interceptor~~ at the owner's expense and liability, as part of their waste disposal system. Installation may be as required for other facilities by the Public Works ~~and~~ Director, the building and planning department or the health officer. Design and construction of grease control devices ~~interceptors~~ shall be in accordance with the sanitary sewer standards manual and located as to be readily accessible for maintenance and inspection. ~~Design and operation shall meet the requirements contained in Section 8.03A.0201.B.19.~~

Chapter 8.03.5040 is amended as follows:

8.03.5040 Oil/Water Separators, Sand Traps.

Any commercial facility which discharges petroleum and/or settleable granular particles wastes shall ~~include~~ install an oil/water separator and/or sand trap as part of their sewer system, at the owner's expense and liability. ~~or where required~~ Installation may be required for other facilities by the Public Works ~~Director~~, the building and planning department, or the health officer. Such commercial facilities include, but are not limited to, car washes, automotive repair/maintenance facilities, and petroleum stations. Design and construction shall be in accordance with the sanitary sewer standards manual and located as to be readily accessible for maintenance and inspection. ~~Design and operation shall satisfy the limits contained in section 8.03A.0201.B.19.~~

Chapter 8.03.5080 is amended as follows:

8.03.5080 Grease Control Devices ~~Interceptors~~, Oil/Water Separators, Sand Traps—Maintenance.

aA. ~~Where installed, a~~ All grease control devices ~~interceptors~~, oil/water separators, and sand traps shall be maintained by the owner, at his or her expense and liability, in good order and condition at all times. Existing ~~outside~~ grease control devices ~~interceptors~~ connected ing to public sewer shall be ~~pumped, cleaned, and inspected, and adequately documented per Subsection C~~ by a licensed septic tank pumper prior to connection to the public sewer. If the grease control device ~~interceptor~~, oil/water separator, or sand trap fails the inspection as not being up to county standards, such device ~~grease interceptor~~ will have to be repaired or replaced at the owner's expense. ~~All grease interceptors shall be inspected every six months and pumped out as needed by a licensed septic tank pumper. There shall be a minimum of two pump outs per year. The owner shall retain records of all inspections and pumping activity for three years. Grease interceptors shall be kept free of inorganic solid materials, such as grit, rocks, gravel, sand, eating utensils, cigarettes, shells, towels, rags, etc. The use of chemical or biological additives, enzymes or surfactants acting as grease emulsifiers is not permitted as a method for cleaning the grease interceptor.~~

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.

1. Hydromechanical grease interceptors shall be cleaned at least once every thirty days, when the device is filled to twenty-five percent or more of capacity with grease or settled solids, 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 exceeds six inches of sludge accumulation, or when there is one inch or more of floating oil in either chamber, whichever comes first.

5. Grease control devices and oil/water separators shall be cleaned by being pumped dry and all accumulated sludge on all surfaces shall be removed by washing down the sides, baffles, and tees. Water removed during cleaning shall not be returned to the grease control device or the oil/water separator, nor the downstream sewer.

6. The use of chemical or biological additives, enzymes or surfactants acting as grease emulsifiers is not permitted as a method for cleaning the grease control device.

C. Users shall maintain records on site for a period of at least three years as follows:

1. Users with an installed grease control device or oil/water separator shall maintain records showing that the control device has been properly maintained and cleaned as required by Subsections A and B.

2. Users shall maintain records showing the following related to all wastes hauled off site: date and time material removed off site; volume removed; licensed wastewater hauler or hazardous waste disposal company name.

D. Grease control devices shall be kept free of inorganic solid materials, such as grit, rocks, gravel, sand, eating utensils, cigarettes, shells, towels, rags, etc.

E. The Public Works Director may grant an exception to the requirements of Subsections B.2 where the Public Works Director finds, based on evidence presented by the user, that a less frequent cleaning schedule will be sufficient to assure that not more than twenty-five percent of the capacity of the grease control device will be filled with grease or settled solids.

~~bF.~~ The Public Works Director may require the an enforcement inspection of grease control devices interceptors, sand traps, and oil/water separators. Upon receipt of written notification of the need for inspection, the owner ~~†~~The user shall make all facilities accessible for inspection, and shall provide inspection and pumping maintenance records. The cost of the inspections, any repairs to the public sewer, and any cleaning of the public sewer, necessitated by a lack of proper maintenance of the owner's user's facilities, shall be billed as an additional utility service to the owner. Charges shall include, but are not limited to, pumping out the facility device, inspection inspecting, correcting the problem, and cleaning the public sewer.

ARTICLE 6000— - SEWER CONSTRUCTION

Chapter 8.03.6160 (c) and (e) is amended as follows:

8.03.6160 - Eligibility for Sewer Connection Permit.

- c. Property owners and first time contractors who intend to perform work requiring a sewer connection permit shall meet with ~~an a~~ Public Works Environmental Services ~~Department~~ representative for instruction and consultation prior to performing said work. Instruction and consultation shall address construction regulations and standards. Connection permit shall not be considered valid until this consultation has occurred.
- 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 Environmental Services ~~Department~~ may be required before the Director will authorize issuance of the sewer connection permit.

Chapter 8.03.6280 (a) is amended as follows:

8.03.6280 - Enforcement Inspections.

- aA. Authorized personnel of the Health Officer, ~~or the Public Works Environmental Services Department, Engineering or Building and Planning~~, shall have the right to enter, during hours of operation, upon any premises, public or private, as reasonably necessary to enforce the provisions of this chapter, any other ordinance relative to wastewater control, or any regulation or order adopted or issued pursuant thereto.
- bB. The owner or occupant of any house, building, or property shall specifically allow the health officer or Public Works ~~Director~~ or their designee to inspect on-site the nature of wastes intended to be discharged into a public sewer and/or on-site sewage disposal system.
- cC. In the event it appears there is any violation, the county may, in addition to any other power or authority reserved in this chapter, issue a notice of violation, requiring the party to whom the notice is directed to correct the violation within thirty days of the date of the notice. Failure to take such corrective action is an additional violation of this chapter, but no notice is necessary in case of emergency or as a prior requirement to taking any other enforcement action authorized in this chapter.

Chapter 8.03.6320 (a) and (d) is amended as follows:

8.03.6320 - Construction Plans.

- a. The Director may require sewer construction plans designed by a professional engineer to be submitted for review and approval, including, but not limited to, larger new and existing commercial sewer connections, public sewers, plats, developments, pressure sewers, including pump specifications, private sewers, or any other sewer construction the Director deems necessary. In any case where a plan is required, a reproducible as-built shall also be required to be submitted to the Public Works ~~Environmental Services~~ Department within thirty days after the completion of sewer construction for review and approval. Extensions may be granted by the Director.
- d. The Director may require construction security in an amount equal to an engineer's estimate of the cost of the public sewer facilities prepared by the Director or his designee, including, but not limited to, contingencies and sales tax. Such security shall be in a form approved by the County Prosecuting Attorney's Office. The construction security will be authorized for reduction to fifty percent of engineer's estimate when the collection line(s) have successfully passed air and mandrel tests. The construction security will be authorized for reduction to twenty-five percent of said engineer's estimate (twenty percent for projects with an estimated cost greater than one hundred thousand dollars), when the facilities are deemed substantially complete by the Director and are accepted by the County for operation and maintenance, subject to a one-year warranty period. Such security will be eligible for release upon: 1) satisfactory completion of the one-year warranty period, 2) developer's execution of an acceptable Bill of Sale transferring ownership of the facilities to the Public Works ~~Environmental Services~~ Department, and 3) submittal of all required construction documentation and record drawings by the developer's engineer.

Chapter 8.03.7045 (b)(2) is amended as follows:

8.03.7045 - Connection of Properties Outside County Sewer Project Boundaries.

- 2. The proposed facility is constructed in substantial conformance with the County's Comprehensive Wastewater Management Plan, sewerage plans for the area adopted by the Public Works ~~Environmental Services~~ Department, and all applicable laws and regulations;

Chapter 8.03.8121 (b) is amended as follows:

8.03.8121 – CFR Assigned to the 2020 Sewer Construction Program.

(b) The CFR for the 2020 Sewer Construction Program has been established by the Board as follows:

CFR (if prepaid in full) +≡ \$6,340.00 per ERU

CFR (if paid monthly over 240 months)

CFR Components	CFR Costs	Monthly CFR (per ERU)
Construction cost	\$3,560.00	\$14.83
GFC	2780.00	11.58
Bond Issuance	0.00	0.00
Interest (6.0%)	4,561.21	19.01
Total	\$10,901.21	\$45.42

Chapter 8.03.8525 (b) and (g) is amended as follows:

8.03.8525 - Sewer Service Fees for Reduced Rate Residence—Low-income Senior and Disabled Property Owners.

- b. Qualifying property owners may request that their primary residence be billed as a reduced rate residence by submitting a written request with the Public Works Environmental Services Department, using the form prescribed and supplied by the Department. If a property owner is unable to make his/her own request, it may be made by a duly authorized agent, guardian or other person charged with the care of the person or property of such person.
- g. The property owner is responsible for reporting any change (e.g., change of residence, change from "active" tax exemption status, death of qualifying spouse, etc.) that may affect his/her qualifying for the reduced residence rate. If the property owner fails to report any such change, the Public Works Environmental Services Department shall have the right to pursue the billing and collection of any additional fees (the difference between the applicable sewer service fee and the reduced residence rate for the applicable number of months) that may be due to the County.

ARTICLE 9000— - ADMINISTRATIVE PROVISIONS

Chapter 8.03.9040 (b) (f) and (g) is amended as follows:

8.03.9040 - Sewer Charges and Service Fees—Payment—Delinquency—Lien—Foreclosure.

- b. All sewer charges, fees, penalties, and interest shall be paid by the property owner, or by a tenant or agent whom the property owner has authorized in writing, on forms provided by the Public Works Environmental Services Department, for the Public Works Environmental Services Department to bill. Each property owner shall remain fully responsible for all sewer charges, fees, penalties, and interest with respect to his/her property, whether such charges were incurred by or on account of him/herself, or by or on account of some other person or business. Failure to receive sewer bills will not relieve the property owner from the obligation to pay under this section.
- f. As provided in this section, Spokane County shall have a sewerage lien for all delinquent rates, fees and/or charges due in accordance with this chapter. The lien shall be for all charges, penalties, and

interest from the date due until paid, and shall attach to the premises to which the services were furnished. The lien shall be superior to all other liens and encumbrances, except general taxes and local special assessments of the County.

Upon the expiration of sixty days after attachment of the lien as provided in this section, the Department may bring suit in foreclosure by civil action in the superior court where the property is located. Costs associated with the foreclosure of the lien, including but not limited to advertising, title report, and personnel costs, shall be added to the lien upon filing of the foreclosure action. In addition, the court may allow a reasonable attorney's fee.

The lien shall be foreclosed in the same manner as the foreclosure of real property tax liens.

The County sewerage lien shall attach for up to one year's delinquent charges without the necessity of any writing or recording of the lien with the County Auditor pursuant to RCW 36.94.150 and RCW 35.67.215. A lien for more than one year's delinquent sewer charges shall attach upon certification of the delinquent charges by the Public Works Environmental Services Department to the Spokane county Auditor. The Public Works Environmental Services Department may periodically amend these lien certifications.

- g. All costs associated with filing and releasing of a lien, such as filing fees and administrative costs, together with the lien certification amounts, shall be paid to the Public Works Environmental Services Department prior to the release of the lien.

Chapter 8.03.9050 (a) and (h) is amended as follows:

8.03.9050 - Sewer Charges and Service Fees—Adjustments and Appeals.

- a. Any person receiving a billing statement for sewer Capital Facilities Rate, General Facilities Charges, and/or Sewer Service Fee as set forth in Section 8.03.8000 of this chapter et al., may file an application for a rate/charge adjustment if there is an alleged excess payment or an alleged error in billing. This request shall be filed with the Spokane County Public Works Spokane County Environmental Services Department on forms provided by the Director.
- h. In the event that the Public Works Environmental Services Department identifies an overpayment or an error in billing, as defined in subsection (e) of this section, the Director shall have the authority to make an appropriate refund or to apply an appropriate credit to an account.

Chapter 8.03.9120 (a) is amended as follows:

8.03.9120 - Equipment—Projects—Minor Expenditures.

- a. To the maximum extent permitted by state law, the Director may acquire such equipment, engage in projects, enter into contracts, and perform such functions as may enable the Public Works Environmental Services Department to carry out its wastewater collection and treatment responsibilities and such other purposes as the Board of County Commissioners may direct and authorize. These powers shall be broadly construed to accomplish their intended purpose.

Chapter 8.03A - Pretreatment

Chapter 8.03A.0102 (a) is amended as follows:

8.03A.0102 - Administration; Revision; Initiation. [1.2]

- A. Director. The Director of the Public Works Spokane County Environmental Services Department (“Director”) shall administer, implement, and enforce this chapter. The Director may delegate functions to other duly authorized individuals.

Chapter 8.03A.0103 (O) and (Q) is amended as follows:

8.03A.0103 - Definitions. [1.3]

- O. County. Spokane County, WA, a political subdivision of the State of Washington, acting by and through its Public Works ~~Environmental Services~~ Department.
- Q. Director. The County Director of its Public Works ~~Environmental Services~~ Department or the County Director's authorized representative.

Chapter 8.03A.0106 (B) is amended as follows:

8.03A.0106 - Legislative History; Comments.

- B. This chapter seeks to accommodate federal, state and local regulatory policies and the practical and operational needs of the POTW, its customers and the public, supporting the law for the common good. Members of the general public, as well as users and state and federal regulatory officials are encouraged and requested to contact the Director, Spokane County Public Works ~~Spokane County Environmental Services~~ Department, with any questions or comments for improvement or clarification.