

## **NOTICE OF PUBLIC HEARING & Summary of Proposed Ordinance**

**Notice is hereby given** that the Yreka City Council will hold a public hearing at its regular meeting to consider an ordinance entitled "AN ORDINANCE OF THE CITY OF YREKA AMENDING TITLE 12, BY ADDING TO TITLE 12 BY ENACTING CHAPTER 12.50 ENTITLED "FATS, OILS AND GREASE CONTROL APPLICABLE TO FOOD SERVICE ESTABLISHMENTS" AND FINDING THAT THE ORDINANCE IS EXEMPT FROM CEQA." All interested persons are invited to attend the meeting, including all persons owning property within the City of Yreka's food service zoning district, to appear and be heard as to: 1) Your opinion about the ordinance generally; 2) The whether the proposed fees and service to reimburse the city actual costs incurred and any other charges are discriminatory or excessive, or will not be sufficient under Government Code §§ 66016, 54354.5 and Health and Safety Code § 5471 or will not comply with other provisions of California law, or will not comply with any other provisions or covenants of any outstanding revenue bonds of the local agency payable from revenues of the enterprise, or on any other matter relating to said proposed ordinance of the rates or charges proposed therein, at the following time and place:

**TIME OF HEARING:            6:30 p.m.**

**DATE OF HEARING:        Thursday, June 21, 2018**

**PLACE OF HEARING:      Council Chambers at 701 Fourth Street,  
Yreka, California**

If a ratepayer desires to challenge the determination of the Yreka City Council in court they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Yreka at the meeting or to 701 Fourth Street, Yreka, CA 95531 prior to the close of the public hearing at the meeting. Any legal action contesting this ordinance, if passed, must be filed with the court within the time specified by Government Code § 66022.

The State of California has imposed mandate upon cities having sanitary sewerage facilities which require a city to implement procedures and adopt ordinances to empower the city with legal authority necessary to reduce the amount of fats, oils and grease ("FOG") discharged into the city's sanitary sewer collection system by food service establishments ("FSE"). A buildup of FOG in sewer lines creates a potential for blockage of the sewer line which can cause an overflow or spill of sewage outside of its collection system. Sewer overflows can cause public health issues and have the potential to pollute water courses. Every time there is a sewer spill the a minimum statutory fine imposed by the State on the city. Even when the State does not impose a fine, any third party environmental organizations can seek those fines to be imposed by the District Court together with an assessment of its attorney's fees. Accordingly, the City Council will be considering at the above stated public hearing whether to adopt an ordinance that would provide the city with legal authority necessary to reduce the amount of FOG discharged into the sanitary sewer collection system by FSEs as the state requires. The ordinance would impose the following service charges which would be set out in a resolution adopted by the City Council each fee is generally characterized as follows: 1) Per purposed ordinance section 12.50.120, a fee for the application and possible issuance of a FOG discharge permit; 2) Per purposed ordinance section 12.50.090, a Grease Disposal Mitigation Fee payable by any food service establishment(s) that do not have the required FOG control devices. This fee is intended to cover the increased maintenance of the sewer system for inspection and city staff's cleaning out of all FOG build up; 3) Per purposed ordinance section 12.50.280, a security deposit when a FSE has a history of prior fee payment delinquencies; 4) Per purposed ordinance section 12.50.100 and 12.50.290, a fee to reimburse the city's actual costs to abate a nuisance caused by FSE who have caused or contributed to a sewer overflow; and 5) Per purposed ordinance section

12.50.290 a fees to reimburse the city for any costs arising out any sewer discharge in cleaning, repairing or any damages; Per purposed ordinance section 12.50.290, a charge or fine for creating a public nuisance or to reimburse the city for fines, penalties and other charges assessed against it due to the overflow contributed to by the FSE. A justification of each of the proposed fees are available for inspection at the city for a period of ten days from the date this notice is first published.

The ordinance requires the installation of devices that reduce the amount of FOG introduced into the sewer collection system. It establishes a system that provides for the issuance of a permit that is valid for a defined period and then must be renewed. It requires FSEs to implement Best Management Practices and permits the city to enter, inspect and sample for FOG at FSEs. It requires a FSE to notify the city of any sewer overflow. The ordinance also allows the City to develop and implement further regulations and procedures for the administration of the ordinance and to impose the state discharge requirements. The ordinance will provide for a customer to apply for a waiver of the requirements and for appeal in the event of the waiver's denial.

The full text of this ordinance as well as information indicating the current amount of cost or estimated cost to provide the service for which the fee or service charge that would be levied is available for public inspection and copying in accordance with the California Public Records Act at the office of the City Clerk at 701 Fourth Street, Yreka, California. The full text of the ordinance will additionally be posted on the city's website along with the meeting agenda and may also be reviewed by you and printed out by at no cost to you. No fee or service charge shall exceed the estimated amount required to provide the service for which the fee or charge is levied.