

CITY OF RIVERBANK

ORDINANCE NO. 2009-004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK
AMENDING TITLE V: PUBLIC WORKS, CHAPTER 51: SEWERS, SECTION 51.03:
RATES AND CHARGES, AND SECTION 51.06: VIOLATOR TO REIMBURSE CITY'S
COSTS, OF THE CITY OF RIVERBANK CODE OF ORDINANCES.

The City Council of the City of Riverbank does hereby ordain as follows:

Title V: PUBLIC WORKS, Chapter 51: SEWERS, Section 51.03: RATES AND CHARGES, of the Riverbank City Code shall be amended to include subsection (H) AND (I) as follows:

§ 51.03 RATES AND CHARGES

(H) *Annual fees for the Food Service Establishment Discharge Permit.*

(1) Permit Fees will be calculated based on the following tasks:

FOG Permit Review and Approval	1.5 hrs
Annual Compliance Visit	1.0 hrs
Administration	1.0 hrs
Total Annual Permit Fee	3.5 hrs

(2) At the time the permit is issued the final fee as determined by the then current staff rate as determined by inflation will be paid annually for the management, administration, and inspection of the grease removal device for the Food Service Establishment Discharge Permit

(3) This fee shall be updated as necessary using the consumer price (CIP) index to cover the cost of inflation for implementing the Fats Oils and Grease reduction program.

(4) Re-inspection fees necessary as a result of a violation of the permit shall be in the amount set forth in 51.03(A).

(I) *Other fees associated with the Installation of a Grease Interceptor as required by the Food Service Establishment Discharge Permit.*

(1) Additional Fees to cover the cost of engineering and inspection of a new grease interceptor shall be calculated as follows:

Business License Review	0.5 hrs
Plan Review	1.5 hrs
Construction Inspection	1.0 hrs
Total Annual Permit Fee	3.5 hrs

- (2) At the time the permit is issued the final fee as determined by the then current staff rate as determined by inflation must be paid prior to the issuance of a building permit.

Title V: PUBLIC WORKS, Chapter 51: SEWERS, Section 51.06: VIOLATOR TO REIMBURSE CITY'S COSTS, of the Riverbank City Code shall be amended to include subsection (B) as follows:

§ 51.06 VIOLATOR TO REIMBURSE CITY'S COSTS

(A) Any person who, after five days' written notice to cease and desist, continues to place, or allows or permits to be placed, any harmful substance, as that term is defined in § 51.04 hereof, in any public sewer, sewer pipe, manhole or industrial waste pipeline of the city, which requires expenditure of city funds by the city for labor and/or materials to remove the same or to remedy problems created thereby shall reimburse the city for the total cost of such labor and materials within 15 days after received a statement for such costs from the city.

(B) The Food Service Establishment permit holder shall pay to the City the following fines for the violation type and number of occurrences set forth in the schedule below. The occurrence of each violation shall be determined as the number of repeated violations within the permit term.

	1st Offense	2nd Offense	3rd Offense	4th Offense & Up
Minor Violation				
Failure to submit records	\$50	\$100	\$150	\$300
Inspection hindrance (equipment related)	\$50	\$100	\$150	\$300
Failure to maintain on site records	\$50	\$100	\$150	\$300
Failure to pump grease and submit records	\$150	\$300	\$450	\$1,000
Intermediate Violation				
Failure to maintain necessary equipment (T's, grease trap not watertight, baffles, etc)	\$150	\$300	\$500	\$1,000


Major Violation	
Source of sewer blockage (minimum)	\$500
Source of sewer blockage (maximum)	\$25,000
Source of sanitary sewer overflow (minimum)	\$1,000
Source of sanitary sewer overflow (maximum)	\$25,000
Falsification of maintenance records	\$1,000

This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date.

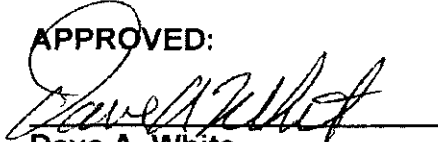
The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Riverbank held on June 22, 2009, Said ordinance was given a second reading at a regular meeting of said Council on July 13, 2009, and Vice Mayor Dave A. White, seconded by Councilmember Jesse James White, moved the adoption of said ordinance, and upon roll call was carried by the following vote of 3-0:

AYES: Councilmembers: Vice Mayor D. White, J. J. White, and Benitez
NAYS: None
ABSENT Councilmember: Fielder
ABSTAIN: None

ATTEST:


 Linda Abid-Cummings, CMC
 City Clerk

APPROVED:


 Dave A. White
 Vice Mayor