

# City of Brookings

## MEETING AGENDA

### CITY COUNCIL

**Monday, March 10, 2025, 7:00pm**

City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415

#### **A. Call to Order**

#### **B. Pledge of Allegiance**

#### **C. Roll Call**

#### **D. Ceremonies/Appointments/Announcements**

1. Honor K9 Nova

#### **E. Oral Requests and Communications from the audience**

(\*Public Comments on non-agenda items – five (5) minute limit per person, please submit Public Comment Form in advance)

#### **F. Consent Calendar**

1. Approve Council minutes for February 24, 2025 [Pg. 1]
2. Accept Planning Commission minutes for February 4, 2025 [Pg. 2]
3. Liquor License – Pete's Bar & Grill [Pg. 4]

#### **G. Staff Reports/Public Hearings/Ordinances/Resolutions/Final Orders**

1. Curry Transfer and Recycling Rate Increase [Pg. 9]
  - a. CTR letter dated March 4, 2025 [Pg. 10]
  - b. Exhibit A – rate schedule, effective April 1, 2025 [Pg. 11]
  - c. BLS Consumer Price Index (CPI) Chart [Pg. 12]
2. Oregon's Recycling Modernization Act Funding Transfer to Curry Transfer & Recycling [Pg. 14]
  - a. Recycling Modernization Act – Local Government Funding Authorization Fact Sheet [Pg. 16]
  - b. Local Government Funding Authorization Form (Draft) [Pg. 21]
3. Fats, Oil and Grease Ordinance [Pg. 27]
  - c. Draft Ordinance 25-O-816 [Pg. 28]
  - d. Exhibit A – Draft FOG Ordinance Language [Pg. 29]

#### **H. Informational Non-Action Items**

1. February 2025 Vouchers [Pg. 41]

#### **I. Remarks from Mayor, Councilors and City Manager**

#### **J. Adjournment**

\*Public Comment forms and the agenda packet are available on-line at [www.brookings.or.us](http://www.brookings.or.us), and at Brookings City Hall. Return completed Public Comment forms to the City Recorder before the start of the meeting or during regular business hours. All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 72 hours advance notification. Please contact 541-469-1102 if you have any questions regarding this notice. You can view City Council meetings LIVE on television on Charter PEG Channel 181, or stream/view on the City's YouTube Channel: <https://www.youtube.com/@cityofbrookingsoregon8039> clicking on "Live" or search 'City of Brookings Oregon YouTube' in your browser.

**City of Brookings**  
**CITY COUNCIL MEETING MINUTES**  
City Hall Council Chambers, 898 Elk Drive, Brookings, OR 97415  
**Monday, February 24, 2025**

**Call to Order**

Mayor Isaac Hodges called the meeting to order at 7:00 PM

**Roll Call**

Council Present: Mayor Isaac Hodges, Councilors Andy Martin, Kristi Fulton, Phoebe Pereda, and Clayton Malmberg; a quorum present

Staff present: City Manager Tim Rundel, Public Works and Development Services Director Tony Baron, Lieutenant Donny Dotson and City Recorder Brooklyn Osterhage

Media Present: None

Others Present: 2 audience members

**Oral Requests and Communications from the Audience**

1. Jerry Law & Jerry Rice, 507 Pacific Ave – Current president of VFW Post 966 introduced his replacement, Jerry Rice.

**Consent Calendar**

1. Approve Council minutes for February 10, 2025
2. Receive monthly financial report for January 2025

**Councilor Martin moved, Councilor Pereda seconded, and Council voted unanimously to approve the Consent Calendar.**

**Staff Reports and Public Hearings**

**1. Police Storage Building**

Staff Report provided by Tony Baron

**Mayor Hodges moved, Councilor Malmberg seconded, and Council voted unanimously to authorize the City Manager to enter into agreements with:**

- 1. Klinefelter Contracting Inc. in the amount of \$37,300 for the foundation of the police storage building**
- 2. Don Kirk Construction Inc. in the amount of \$71,462 for the framing, roofing and siding of the police storage building**
- 3. J&B Painting & Drywall in the amount of \$28,520 for the drywall and interior paint of the police storage building.**

**Remarks from Mayor, Councilors and City Manager**

Councilor Pereda spoke of House Bill 3644 and her desire for Council to submit testimony.

**Adjournment**

Mayor Isaac Hodges adjourned the meeting at 7:58 PM.

Respectfully submitted:

ATTESTED:

this 10<sup>th</sup> day of March, 2025:

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Isaac Hodges, Mayor

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Brooklyn Osterhage, City Recorder

**BROOKINGS PLANNING COMMISSION MINUTES**  
**February 4, 2025**

**CALL TO ORDER**

The regular meeting of the Brookings Planning Commission was called to order by Chair Watwood at 7:00 pm in the Council Chambers at Brookings City Hall followed by the Pledge of Allegiance.

**ROLL CALL**

Commissioners Present: Anthony Bond, Blake Peters, Gerry Wulkowicz , Nicholas Chapman,  
Chair Skip Watwood

Commissioners Absent: Sage Bruce

Staff Present: PWDS Director Tony Baron, PWDS Deputy Director Lauri Ziemer, PWDS Administrative Assistant Michelle Robidoux

Others Present: 3 audience members

**PLANNING COMMISSION CHAIR PERSON ANNOUNCEMENTS**

3.1 Election of Chair and Vice Chair -

**Motion made by commissioner Wulkowicz to nominate Chair Watwood as Planning Commission Chairperson; motion seconded. Chair Watwood abstained from voting. By a 4-0 vote the motion carried.**

**Motion made by Chair Watwood to nominate Commissioner Wulkowicz as Planning Commission Vice Chairperson; motion seconded. Commissioner Wulkowicz abstained from voting. By a 4-0 vote the motion carried.**

3.2 Review of 2024 Planning Commission Annual Report

**Motion Made by Commissioner Wulkowicz to approve the 2024 Planning Commission Annual Report; motion seconded and by a 5-0 vote the motion carried.**

**PUBLIC HEARINGS**

4.1 In the matter of File No. CUP-1-25, a request for approval of a Conditional Use Permit to operate a Short Term Rental facility at 1107 Byrtus Place; Assessors Map & Tax Lot No. 4113-06CD-00104

There was no ex parte contact, bias, personal interest, or conflicts of interest declared and no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:08 pm. PWDS Deputy Director Lauri Ziemer reviewed the staff report.

The applicant's, Robert & Lily Phillips, were present to answer any questions. No members of the public spoke in opposition and no participant requested additional time to submit materials. The public hearing was closed at 7:13 pm.

The Commission deliberated on the matter. **Motion made by Commissioner Chapman to approve File No. CUP-1-25 a request for a Conditional Use Permit to operate a short term rental at 1107 Byrtus Place based on the findings and conclusions stated in the staff report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 5-0 vote the motion carried.**

**Motion made by Commissioner Wulkowicz to approve the Final Order regarding file CUP-1-25, based on the findings and conclusions stated in the staff report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 5-0 vote the motion carried.**

4.2 In the matter of File No. M3-1-25, a request for a partition to divide a .42 acre parcel into two (2) parcels; located at 17120 Pacific Heights; Assessor's Map & Tax Lot No. 4014-36BC-02900

There was no ex parte contact, bias, personal interest, or conflicts of interest declared and no objection to the jurisdiction of the Planning Commission to hear the matter. The public hearing was opened at 7:15 pm. PWDS Director Tony Baron reviewed the staff report.

The applicant Thomas Langer was present by phone. No members of the public spoke in opposition and no participant requested additional time to submit materials. The public hearing was closed at 7:19 pm.

The Commission deliberated on the matter. **Motion made by Commissioner Chapman to approve File No. M3-1-25 a request for a Minor Partition to create two parcels at 17120 Pacific Heights, based on the findings and conclusions stated in the staff report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 5-0 vote the motion carried.**

**Motion made by Commissioner Wulkowicz to approve the Final Order regarding file M3-1-25, based on the findings and conclusions stated in the staff report and subject to the Conditions of Approval; motion seconded and with no further discussion by a 5-0 vote the motion carried.**

#### **MINUTES FOR APPROVAL**

5.1 Minutes of regular Planning Commission meeting of December 3, 2024.

**Motion made by Commissioner Bond to approve the Planning Commission minutes of December 3, 2024; motion seconded and with no further discussion by a 5-0 vote the motion carried.**

**UNSCHEDULED PUBLIC APPEARANCES - None**

**REPORT FROM THE PLANNING STAFF - None**

**COMMISSION FINAL COMMENTS - None**

#### **ADJOURNMENT**

Chair Watwood adjourned the meeting at 7:29 pm.

Respectfully submitted,



Skip Watwood, Brookings Planning Commission Chair  
Approved at the March 4, 2025 meeting



# CITY OF BROOKINGS POLICE DEPARTMENT

Kelby McCrae, Chief of Police



**To:** Brookings City Council through City Manager Tim Rundel  
**From:** Lieutenant Donny Dotson  
**Date:** 02/26/2025  
**Subject:** Liquor License Application

The Brookings Police Department found no **local** disqualifying information prohibiting **Phicket Srikasem** with the attached **Full On-Premises** liquor license application. The business "**Pete's Bar and Grill**" is located at 604 Railroad Street. It is the recommendation of the Brookings Police Department the above mentioned applicants be granted their request with final approval coming from the **Oregon Liquor Control Commission**.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Donny Dotson".

Lieutenant Donny Dotson  
Brookings Police Department



# LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

☐ [New Outlet](#) | ☐ [Change of Ownership](#) | ☐ [Greater Privilege](#) | ☐ [Additional Privilege](#)

Select the license type you are applying for.

More information about all license types is available [online](#).

## Full On-Premises

- ☒ Commercial
- ☐ Caterer
- ☐ Public Passenger Carrier
- ☐ Other Public Location
- ☐ For Profit Private Club
- ☐ Nonprofit Private Club

## Winery

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th

## Brewery

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

## Brewery-Public House

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

## Grower Sales Privilege

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

## Distillery

- ☐ Primary location
- Additional tasting locations: (Use the DISTT form [HERE](#))

## ☐ Limited On-Premises

## ☐ Off Premises

## ☐ Warehouse

## ☐ Wholesale Malt Beverage and Wine

## LOCAL GOVERNMENT USE ONLY

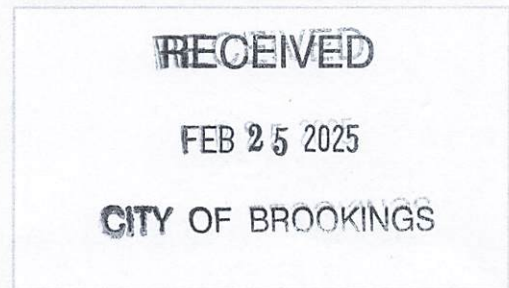
LOCAL GOVERNMENT  
After providing your recommendation, return this form to the applicant **WITH** the recommendation marked below

Name of City OR County (not both)

Please make sure the name of the Local Government is printed legibly or stamped below

Date application received:

Optional: Date Stamp Received Below



- ☐ Recommend this license be granted
- ☐ Recommend this license be denied
- ☐ No Recommendation/Neutral

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Pete's Bar And Grill

Trade Name



# LIQUOR LICENSE APPLICATION

Page 2 of 4

## APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:

Phichet Srikasem

Name of entity or individual applicant #2:

Name of entity or individual applicant #3:

Name of entity or individual applicant #4:

## BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

Pete's Bar And Grill

Premises street address (The physical location of the business and where the liquor license will be posted):

604 Railroad St

City:

Brookings

Zip Code:

97415

County:

United States

Business phone number:

(541)2549085

Business email:

petekhunthai@gmail.com

Business mailing address (where we will send any items by mail as described in [OAR 845-004-0065\[11\]](#)):

PO Box 360

City:

Brookings

State:

OR

Zip Code:

97415

Does the business address currently have an OLCC liquor license? ☒ Yes ☐ No

Does the business address currently have an OLCC marijuana license? ☐ Yes ☒ No

**APPLICATION CONTACT INFORMATION** – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative Form must be completed and submitted with this application.

Application Contact Name:

Phichet Srikasem

Phone number:

[REDACTED]

Email:

[REDACTED]



# LIQUOR LICENSE APPLICATION

Page 3 of 4

## TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

## ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands [OAR 845-005-0311](#) and attests that:
  1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
  2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.
  3. The licensed premises at the premises street address proposed to be licensed either:
    - a. Does not include any common areas; or
    - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
      - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
  4. The licensed premises at the premises street address either:
    - a. Has no area on property controlled by a public entity (like a city, county, or state); or
    - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

Pete's Bar And Grill



# LIQUOR LICENSE APPLICATION

Pete's Bar And Grill

Page 4 of 4

**Applicant Signature(s):** Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

- Each applicant listed in the "Application Information" section of this form has read and understands [OAR 845-006-0362](#) and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Phichet Srikasem

Applicant name

Signature

2/25/2025

Date

Applicant name

Signature

Date

Applicant name

Signature

Date

Applicant name

Signature

Date

**Applicant/Licensee Representative(s):** If you would like to designate a person/entity to act on your behalf you must complete the [Authorized Representative Form](#). You may submit the form with the application or anytime thereafter. The form must be received by the OLCC before the representative can receive or submit information for the applicant.

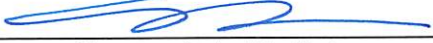
*Please note that applicants/licensees are responsible for all information provided, even if an authorized representative submits additional forms on behalf of the applicant.*

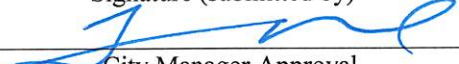
# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: March 10, 2025

Originating Dept: Administration

  
Signature (submitted by)

  
City Manager Approval

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Subject:

Curry Transfer and Recycling Rate Increase

Recommended Motions:

Motion to approve a new rate schedule from Curry Transfer and Recycling (CTR) for refuse collection and recycling services per the attached letter and exhibit, effective April 1, 2025.

Financial Impact:

CTR franchise fee revenue will increase approximately \$3,100 from the rate increase.

Background/Discussion:

The ordinance establishing a franchise agreement with Curry Transfer and Recycling (CTR) provides that CTR may request a rate adjustment annually based upon the cost of living and related factors. CTR has requested a rate increase of 2.40% (percent) to be effective April 1, 2025. This will result in a \$.80 per month increase in the fee for a basic 32-gallon cart service.

CTR has an exclusive franchise with the City to provide refuse collection, disposal and recycling collection. The term of the franchise is year-to-year; the ordinance provides a 10-year termination provision.

Attachment(s):

- a. CTR letter dated March 4, 2025
- b. Exhibit A - rate schedule, effective April 1, 2025
- c. BLS Consumer Price Index (CPI) Chart



17498 Carpenterville Rd, PO Box 4008, Brookings, OR 97415

(p) 800-826-9801 (f) 541-469-1048  
currytransferrecycling.com

**March 4, 2025**

City of Brookings  
Attn: City Council  
898 Elk Drive  
Brookings, OR 97415

RE: **2025 Rate Adjustment Request**

Dear City Council:

Customarily, each year we request a rate adjustment based on the prior year's US CPI average. The CPI for **2024** was **3.2%**, we are requesting **75%** of the CPI which will result in an increase of **2.40%**. The increase will be **\$.80** per month adjustment for a basic 32 gallon cart service. Please use this notice and the other information enclosed to consider a rate adjustment effective **April 1, 2025**. The franchise fee revenue will increase approximately \$3,100 from the rate increase for the year.

We appreciate the opportunity to serve the City of Brookings.

Sincerely,

Luke Pyke  
District Manager

Enclosures:

**2025 Exhibit A Rate Comparison**  
**2024 CPI Adjustment- Department of Labor**





## City of Brookings Rate Schedule

### Exhibit A

Effective April 1, 2025

			Previous Adjustment 2024	Rate Adjustment	New Rate 2025
Residential Cart Service					
20	gallon	per month	24.95	2.40% 0.60	25.55
32	gallon	per month	33.52	2.40% 0.80	34.32
48	gallon	per month	47.98	2.40% 1.15	49.13
64	gallon	per month	62.43	2.40% 1.50	63.93
96	gallon	per month	91.30	2.40% 2.19	93.49
Commercial Cart Service					
32	gallon	per month	32.89	2.40% 0.79	33.68
48	gallon	per month	49.34	2.40% 1.18	50.52
64	gallon	per month	65.79	2.40% 1.58	67.37
96	gallon	per month	98.67	2.40% 2.37	101.04
Commercial/Container Rental Service					
Per Loose Yard Trash Service			35.49	2.40% 0.85	36.34
Per Loose Yard Brush Service			17.00	2.40% 0.41	17.00
Per Loose Yard Metal Service			17.00	2.40% 0.41	17.00
Auto Lock Charge			5.11	2.40% 0.12	5.23
Dumpster Rental			20.62	2.40% 0.49	21.11
Extra bag- on route			7.29	2.40% 0.17	7.46
Medical Waste- 1 Gallon Sharps			31.44	2.40% 0.75	32.19
Medical Waste Tub collection per gallon			4.23	2.40% 0.10	4.33
Roll- Off Daily Rent Charge			2.97	2.40% 0.07	3.04
Special Handling Charge			1.65	2.40% 0.04	1.69
Special Trip/ Off Route Trip/Delivery Charge			24.87	2.40% 0.60	25.47
Start; Stop; Resume; Seasonal Stop			8.79	2.40% 0.21	9.00
Recycling					
Residential recycle only (no solid waste service)			25.85	2.40% 0.62	26.47
Commercial Cardboard- routed			up to 25% of commercial yard rate		
Commercial Commingle			up to 50% of commercial yard rate		
Heavy Roofing or Demolition			1.5 times yard rate		
Extra Heavy Demolition or Mechanically			2.75 times yard rate		





## Consumer Price Index, 1913-

Historical data from the era of the modern U.S. consumer price index (CPI)

### ABOUT THE BANK

#### Overview & Mission



The U.S. Bureau of Labor Statistics (BLS) began collecting family expenditure data in 1917 and published its first price indexes for select cities in 1919. In 1921, the BLS published a national consumer price index (CPI), including estimates of the CPI back to 1913. The data and methods starting in 1913 are considered generally compatible through the present day; however, the Minneapolis Fed maintains a separate historical table that includes estimates **prior to 1913**.

The data below use 1983 as the index (1983=100). This chart uses data from the sole measure of CPI available until 1978, after which it reflects the CPI for all urban consumers (CPI-U). The current year's inflation figures reflect the most recent quarterly data.



ARTICLE

### [Policy Has Tightened a Lot. How Tight Is It? \(An Update\)](#)

[Read President Kashkari's message](#)

You can use the Minneapolis Fed's [inflation calculator](#) to instantly compare the buying power of past and present dollars. However, you can also use the Annual Average CPI numbers below (center column) to make manual calculations. To find out how much a price in Year 1 would be in Year 2 dollars:

$$\text{Year 2 Price} = \text{Year 1 Price} \times (\text{Year 2 CPI} / \text{Year 1 CPI})$$

Year	Annual Average CPI(-U)	Annual Percent Change (rate of inflation)
1913	9.9	
1914	10.0	1.3%

2019	255.7	1.8%
2020	258.8	1.2%
2021	271.0	4.7%
2022	292.7	8.0%
2023	304.7	4.1%
2024	314.4	3.2%

\*An estimate for 2024 is based on the change in the CPI from second quarter 2023 to second quarter 2024.

#### MORE ON INFLATION FROM THE MINNEAPOLIS FED



ARTICLE

#### The optimal way for a central bank to regard housing inflation? Ignore it

Jeff Horwich | Senior Economics Writer

December 20, 2024



ARTICLE

#### Why I Supported Cutting Rates Last Week

Neel Kashkari | President and CEO

September 23, 2024




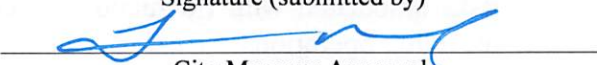
ARTICLE

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: March 10, 2025

Originating Dept: PW/DS

  
\_\_\_\_\_  
Signature (submitted by)  
\_\_\_\_\_  
City Manager Approval

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Subject:

Oregon's Recycling Modernization Act Funding Transfer to Curry Transfer & Recycling

Recommended Motion:

Motion to authorize City Manager to sign a Local Government Funding Authorization Form to direct funding the city receives under Oregon's Recycling Modernization Act to Curry Transfer and Recycling in order to create a more efficient and effective recycling system locally.

Financial Impact:

Funding amount unknown

Background/Discussion:

Local governments may receive compensation for eligible costs in five categories from the Producer Responsibility Organization (PRO) under the Recycling Modernization Act (RMA). PRO compensation may be provided in advance or as reimbursement for eligible costs, as indicated in OAR 340-090-0810.

Local governments may elect to receive PRO compensation directly and retain responsibility for distributing it to service providers or other entities that incur eligible costs, or they may authorize the service providers and/or other entities that incur eligible costs to receive compensation directly from the PRO.

Under Oregon's Recycling Modernization Act (RMA), the Producer Responsibility Organization (PRO) provides funding to local governments and service providers across five key categories:

1. **Service Expansion:** Funding to enhance or introduce recycling services, such as expanding the range of materials collected or increasing collection frequency.

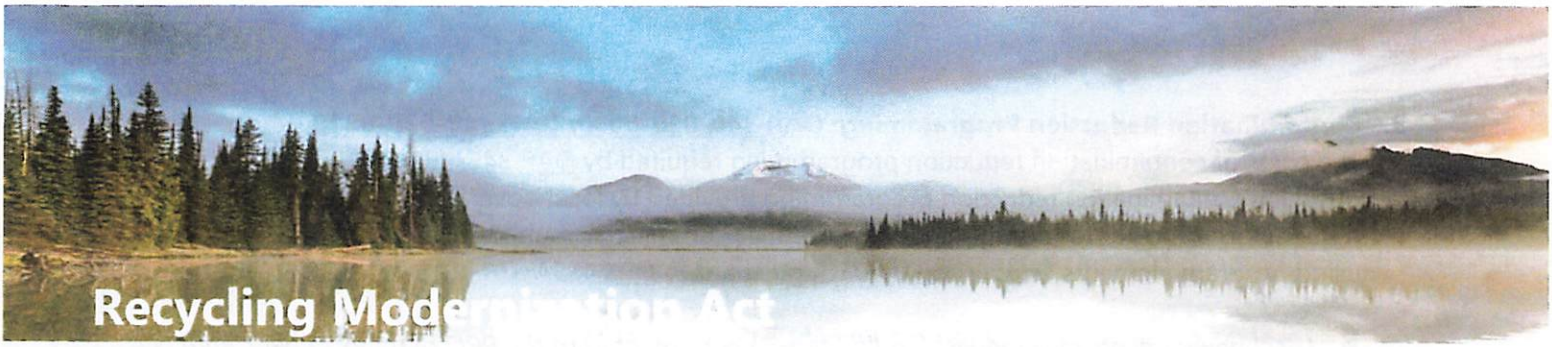
2. **Transportation Reimbursements:** Compensation for costs associated with transporting recyclable materials from collection points to processing facilities, especially when distances exceed 50 miles.
3. **Contamination Reduction Programming:** Financial support for initiatives aimed at reducing contamination in recycling streams, including educational campaigns and community outreach.
4. **Processor Commodity Risk Fee:** Payments to processing facilities to mitigate financial risks associated with fluctuations in commodity markets, ensuring the sustainability of recycling operations.
5. **Contamination Management Fee:** Funding provided to processors to address and manage contamination within collected recyclable materials, promoting cleaner recycling streams.

These funding categories are designed to create a more efficient and effective recycling system statewide.

Attachment(s):

- a. Recycling Modernization Act - Local Government Funding Authorization Fact Sheet
- b. Local Government Funding Authorization Form (Draft)





## Local Government Funding Authorization Fact Sheet & Instructions

Local governments may receive compensation for eligible costs in five categories from the Producer Responsibility Organization (PRO) under the Recycling Modernization Act (RMA). PRO compensation may be provided in advance or as reimbursement for eligible costs, as indicated in [OAR 340-090-0810](#).

Local governments may elect to receive PRO compensation directly and retain responsibility for distributing it to service providers or other entities that incur eligible costs, or they may authorize the service providers and/or other entities that incur eligible costs to receive compensation directly from the PRO. This process is called Funding Authorization, and completing this form is the first step. Additional coordination with the PRO will be needed for any entity, including the local government, receiving PRO funding. DEQ is required to collect information from local governments about the distribution of PRO funding.

This factsheet will help you understand what funding categories are available, how to authorize funding to a service provider or other entity, and how to notify DEQ of your decisions. All local governments, regardless of size, are eligible for funding except for category 4, Recycling Service Expansion. Only local governments that completed the 2023 Needs Assessment survey are eligible for Recycling Service Expansion funds.

## Funding Categories

### 1. **Transportation:** [OAR 340-090-0770](#)

The costs of transporting covered products more than 50 miles from a recycling depot or recycling reload facility to the nearest commingled recycling processing facility or a responsible end market are eligible costs. This includes the cost to receive, consolidate, load and transport covered products to the appropriate destination. All communities, regardless of size, are eligible for transportation funding.

- ❖ *Covered Products* include packaging, printing and writing paper, and food serviceware (ORS 459A.863(6)(a)). The definition excludes materials listed in ORS 459A.863(6)(b). Note that materials do not need to be included in a recycling program acceptance list to be a "covered product."
- ❖ *Capacity* includes the facilities' willingness and ability to accept the material.

### 2. **Contamination Evaluation:** [OAR 340-090-0030](#); [OAR 340-090-0810](#)

The costs of periodically evaluating the quality and contamination of collected materials as required by [ORS 459A.929](#), if the evaluation occurs at a location other than a commingled recycling processing facility. OAR 340-090-0810 outlines eligible and ineligible costs. All communities, regardless of size, are eligible for contamination evaluation funding.

#### Translation or other formats

Español | 한국어 | 繁體中文 | Русский | Tiếng Việt | العربية

800-452-4011 | TTY: 711 | [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov)



### 3. Contamination Reduction Programming: [OAR 340-090-0030](#); [OAR 340-090-0810](#)

The costs of contamination reduction programming required by [OAR 340-090-0030 \(7\)\(c\)](#) and the cost of similar contamination reduction programming provided by local governments not subject to the requirements. Includes programming to residential, commercial, multi-family, and depot customers using program elements established by DEQ, pursuant to [ORS 459A.929](#).

- ❖ *Local governments may request funding or reimbursement from the PRO of up to \$3 per capita per year, based on the population of a local government or, if the local government is a county, the population of the unincorporated area of the county. OAR 340-090-0810 provides more details on calculating contamination reduction programming compensation.*
- ❖ *All cities over the population of 4,000 are **required** to complete Contamination Reduction Programming in these three areas:*
  - *Provide customer-facing contamination reduction materials and methods responsive to diverse populations.*
  - *Standards for providing feedback to generators who contribute to contamination that is responsive to diverse populations.*
  - *Standards for providing financial or service consequences (responsive to diverse populations) to generators of significant or repeated contamination.*
- ❖ *Cities under 4,000 are not required to implement Contamination Reduction Programming; however, these cities are eligible for funding in this category.*

### 4. Recycling Service Expansion Identified in the Needs Assessment: [OAR 340-090-0800](#)

A local government that requested to expand recycling opportunities during the DEQ 2023 Needs Assessment survey is eligible for funding or reimbursements towards recycling service expansion. If identified in the survey, eligible costs include:

- For on-route programs, start-up costs, including but not limited to trucks, containers, promotional literature, and, if necessary and none other is available, a recycling reload facility for reloading recyclables, including any compaction equipment necessary for the recycling reload facility; and
  - For recycling depots, containers, on-site monitoring equipment, site preparation, or other start-up costs and operational costs, including staffing.
- ❖ *The PRO shall work with local governments or their authorized service provider to establish the requested services and will provide an implementation schedule for the new program and provide funding in advance of or concurrent with implementation. The expansion services your local government requested in DEQ's 2023 Needs Assessment survey are in the [Needs Assessment report](#).*
  - ❖ *Local governments that did not submit the 2023 Needs Assessment survey can complete the next survey to obtain funding for expansion of recycling services.*

### 5. Purchase of Post-Consumer Recycled Content Collection Containers: [ORS 459A.908](#)

The costs of complying with ORS 459A.908, to the extent that the cost of new containers with 10% post-consumer recycled material is more expensive than the lowest priced alternative. The difference in cost between containers with or without 10% post-consumer recycled material will be covered. All communities, regardless of size, are eligible for applicable container funding.

# Completing the Funding Authorization Process

Local governments may elect to receive PRO compensation directly or may authorize their service providers and/or other entities to receive all or partial funding for eligible costs. Receiving PRO compensation directly means that the local government is responsible for distributing compensation to service providers and/or other entities that incur eligible costs. Authorizing service providers and/or other entities means that the listed service provider or other entity will receive compensation for eligible costs directly from the PRO. Local governments may choose to make this authorization for all five of the PRO funding categories, some of the funding categories, or none.

A local government must identify authorized service providers and/or other entities to DEQ. DEQ created the *Local Government Funding Authorization Form Packet* to help local governments understand details of PRO compensation and identify service providers or other entities they wish to receive PRO funding on their behalf.

**The Local Government Funding Authorization Form Packet consists of three parts:**

## **Tab 1: Local Government Funding Authorization Form**

This form allows local governments to identify service providers or other eligible entities authorized to receive compensation directly from the PRO for eligible costs. When signed, save the document as "FundingAuthorization2025\_ CityOrCountyName".

In the first section, local governments will indicate the type of authorization they have chosen for each category of PRO funding.

### **Full Authorization** means:

- (1) A local government is authorizing one or more service providers and/or other entities to receive **ALL** eligible compensation in that funding category directly from a PRO for eligible costs incurred; and
- (2) The local government **will not retain any** eligible compensation in that funding category.

### **Partial Authorization** means:

- (1) A local government is authorizing one or more service providers and/or other entities to receive **some** of the eligible compensation in that funding category directly from a PRO for eligible costs incurred; and
- (2) The local government will retain **some** eligible compensation in that funding category and will be responsible for distributing funding to entities incurring eligible costs. *All PRO funding must be distributed to the entity that incurs eligible costs.*

### **No Authorization** means:

A local government is **retaining all** eligible compensation in that funding category and will be responsible for distributing funding to entities incurring eligible costs. *All PRO funding must be distributed to the entity that incurs eligible costs.*

The second section of Tab 1 allows local governments to list authorized service providers or other entities, including contact and business information. If your local government has elected NOT to authorize any



service providers or other entities to receive funding, submit only the Local Government Funding Authorization Form indicating your decision and have it signed by a local government official.

A local government may use the Applicable Service Area column to differentiate, if needed, situations where the same service provider operates in two different areas. The Applicable Service Area could be a city, county, UGB of a specific city, county unincorporated areas, or franchised service area.

Local governments with more than eight authorized service providers and/or other entities may identify them on Tab 1.A. Add'l Forms.

### **Tab 2: Authorizations Form**

Local governments use this form to identify which service providers or other entities are authorized to receive PRO compensation directly within each of the five PRO funding categories.

For each funding category, consult with the service providers and/or other entities that will incur costs that are eligible for PRO compensation. Use the drop-down menu to identify the service providers and/or other entities authorized to receive PRO compensation directly. The identifications made on this form will be reflected when generating each Service Provider form on the third tab.

Notes are optional and can be used to clarify expectations, funding allocations, or responsibilities. Local governments with more than eight authorized service providers and/or other entities may identify them on the Local Government Funding Authorization Form – Additional Page (Tab 1.A. Add'l Forms).

### **Tab 3: Service Provider or Other Entity Form**

Local governments use this form to generate acknowledgement forms for authorized service providers and/or other entities to sign and return. **Use the drop-down menu in Box 1 to generate a separate copy of the Tab 3 form for each service provider or other entity authorized to receive PRO funding.** Then print each copy to PDF (save as "FundingAuthorization2025\_CityOrCountyName\_AuthorizedEntityName"), and email or mail to each service provider or other entity for signature.

DEQ will not consider an authorization complete until the *Local Government Form* and *Service Provider or Other Entity Form* are signed by all relevant parties and received by DEQ. As the local government, you may choose to include comments or notes.

Local governments with more than eight authorized service providers and/or other entities in each PRO funding category may identify them on Tab 2.A. Add'l Authorizations Form.

### **Considerations for completing the Funding Authorization Form:**

- **Plan now** to ensure sufficient time for necessary conversations and for the steps needed in your jurisdiction to obtain approvals and signatures.
- Many local governments rely on service providers to help meet their obligations related to recycling collection under the law. In some cases, the entity that incurs eligible costs could be another local government or a community-based organization. Local governments may authorize funding to other entities that incurs eligible costs to receive PRO compensation directly.



❖ *For example, some cities may be part of a cooperative in which the county government provides recycling education and assistance on their behalf, or a non-profit organization may conduct recycling education for a city's outreach program.*

- All entities that are authorized to receive compensation directly from the PRO will enter into funding agreements with the PRO.
- The amount of compensation allocated to each authorized entity will be determined during development of the funding agreements with the PRO.
- It is especially important that local governments strongly consider authorizing and identifying to DEQ the service providers or other entities that will incur eligible costs related to transporting recycling more than 50 miles to a recycling processor or responsible end market. To maintain efficient and uninterrupted transportation of collected recycling, the PRO and the entity providing transportation service will depend on the ability to quickly exchange information and process payments.
- Local governments will have the opportunity to change their funding authorization annually.

## Next Steps

DEQ will send official authorization forms to local governments in December 2024 and request that completed forms be returned to DEQ by **March 31, 2025**. Local governments, service providers, or other entities with questions about the Funding Authorization process can contact regional DEQ staff listed below.

## DEQ Materials Management Regional Staff

REGION	COUNTIES	RMA TECHNICAL ASSISTANT
<b>NORTHWEST</b>	Clackamas, Clatsop, Columbia, Multnomah, Tillamook, & Washington	Steven Chang <a href="mailto:steven.chang@deq.oregon.gov">steven.chang@deq.oregon.gov</a> 971-803-2493
<b>WESTERN</b>	Benton, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk, & Yamhill	Telicia Hixson <a href="mailto:telicia.l.hixson@deq.oregon.gov">telicia.l.hixson@deq.oregon.gov</a> 503-995-9491
<b>EASTERN</b>	Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, & Wheeler	Rachel VanWoert <a href="mailto:rachel.vanwoert@deq.oregon.gov">rachel.vanwoert@deq.oregon.gov</a> 971-269-7671

## Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).

# Local Government Funding Authorization Form

## Local Government Funding Authorization Form

<b>Local Government:</b>	City of Brookings
--------------------------	-------------------

No.	Authorization	Funding Categories
1.	Full Authorization	<b>Transportation:</b> Includes the cost to receive, consolidate, load and transport covered products to the appropriate destination as detailed in OAR 340-090-0770.
2.	Full Authorization	<b>Contamination Evaluation:</b> The costs of periodically evaluating the quality and contamination of collected materials at a location other than a commingled recycling processing facility, pursuant to ORS 459A.929 and OAR 340-090-0810.
3.	Full Authorization	<b>Contamination Reduction Programming:</b> The costs of contamination reduction programming required by ORS 459A.929.
4.	Full Authorization	<b>Recycling Service Expansion Identified in the Needs Assessment:</b> Funding for on-route expansion including equipment, staffing, and location development, and for recycling depot start-up and operational costs according to OAR 340-090-0800.
5.	Full Authorization	<b>Post-Consumer Recycled Content in Collection Containers:</b> The costs of complying with ORS 459A.908, to the extent that the use of at least 10% post-consumer recycled material is more expensive than the lowest priced alternative.

**Local Government Instructions:** Use this form to list the service providers or other entities that you are authorizing to receive funding from a PRO directly. This information will populate fields in the remaining forms on tabs 2 and 3. Use additional forms if needed (Tab 1.A - Add'l Forms).

Authorized Service Providers or Other Entities				
No.	Registered Business Name	Applicable Service Area[s]	Contact Email	Contact Phone
1	Curry Transfer & Recycling	Brookings & UGB	luke.pyke@wasteconnections.com	541-412-1057
2				
3				
4				
5				
6				
7				
8				

By signing this document you certify that the authorizations contained within are made in good faith cooperation with all parties, that all parties understand and acknowledge the rules and statutes for receiving funding from a PRO, and that your local government is responsible for distributing retained PRO funding to the entity that incurs eligible costs.

Authorized Local Government Official	<i>Print first and last name</i>	<i>Title</i>
--------------------------------------	----------------------------------	--------------

DEQ Materials Management Program  
 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232  
 Phone: 503-229-5696, Toll Free in Oregon: 800-452-4011

*Signature*

*Date*

Page 2  
 Revised November, 2024



State of Oregon  
Department of  
Environmental  
Quality

## Local Government Funding Authorization Form

Local Government:

City of Brookings

**Local Government Instructions:** For each funding category, consult with the service providers and/or other entities that will incur costs that are eligible for PRO compensation. Use the drop downs to identify the service providers and/or other entities authorized to receive PRO compensation directly. Notes are optional and can be used to clarify expectations, funding allocations, or responsibilities.

Please refer to the Local Government Funding Authorization Process Factsheet and Instructions for more information and to find contact information for your regional RMA Technical Assistant.

### 1. Transportation

Authorized Service Providers or Other Entities (Select from dropdown menu)		Notes (Optional)
1	Curry Transfer & Recycling, Brookings & UGB	
2		
3		
4		
5		
6		
7		
8		

### 2. Contamination Evaluation

Authorized Service Providers or Other Entities (Select from dropdown menu)		Notes (Optional)
1	Curry Transfer & Recycling, Brookings & UGB	
2		
3		
4		
5		
6		
7		
8		

3. Contamination Reduction Programming		
Authorized Service Providers or Other Entities (Select from dropdown menu)		Notes (Optional)
1	Curry Transfer & Recycling, Brookings & UGB	
2		
3		
4		
5		
6		
7		
8		

4. Recycling Service Expansion		
Authorized Service Providers or Other Entities (Select from dropdown menu)		Notes (Optional)
1	Curry Transfer & Recycling, Brookings & UGB	
2		
3		
4		
5		
6		
7		
8		

5. 10% Post-Consumer Recycled Materials in Collection Containers		
Authorized Service Providers or Other Entities (Select from dropdown menu)		Notes (Optional)
1	Curry Transfer & Recycling, Brookings & UGB	
2		
3		
4		
5		
6		
7		
8		





State of Oregon  
Department of  
Environmental  
Quality

## Service Provider or Other Entity Form

**Local Government:**

City of Brookings

**Local Government Instructions:** This form can be used to automatically generate authorization forms for your service provider to sign and return to you. This form verifies the service providers' acknowledgement of funding authorizations and the rules and statutes for receiving funding from a PRO. Select one service provider at a time in the first Green Box and the remainder of the form will be populated and ready to convert to a PDF and send to your service provider by mail or email. Adding comments in section 3 is optional.

**Service Provider Instructions:** If you are receiving this form, your organization or business has been authorized by the local government at the top of this page to receive advanced funding or reimbursement from a producer responsibility organization for eligible costs associated with the requirements of: ORS 459A.908, ORS 459A.929, and OAR 340-090-0770 through OAR 340-090-0810. Verify your business name is correct, and include your information in the GREEN boxes below. Sign and return this form to the local government that sent it.

### 1. Authorized Service Provider or Other Entity

<b>Registered Business Name, Applicable Area: (Drop down menu)</b>	Curry Transfer & Recycling, Brookings & UGB		
<b>Contact Email:</b>	luke.pyke@wasteconnections.com	<b>Phone:</b>	541-412-1057

### 2. Funding Categories for Authorized Service Providers or other Entities

Funding Authorizations		Reference:	Authorization Notes
1	Transportation	<u>OAR 340-090-0770</u>	
2	Contamination Evaluation	<u>OAR 340-090-0810</u> <u>ORS 459A.929</u>	
3	Contamination Reduction	<u>ORS 459A.929</u>	
4	Recycling Service Expansion	<u>OAR 340-090-0800</u>	
5	Collection Containers	<u>ORS 459A.908</u>	

## RMA Local Government Funding Authorization Form for Service Providers or Other Entities

**DISCLAIMER:** By signing this document you certify the following:

1. You are an authorized representative of the service provider or other entity listed in Section 1 (Service Provider or Other Entity).
2. You have read and understand the authorizations granted to your organization as described in section 2 (Authorized Funding Categories).
3. You have read and understood the rules and requirements for the funding that you are authorized to receive;
4. You acknowledge and understand that as a condition of receiving PRO funding, you will be required to enter into contractual agreements with the local government and a PRO; and
5. You acknowledge and understand this document fulfills a local government's requirements under ORS 459A.890 (12) and does not supersede any current contractual agreements between your organization and the local government.

	<b>Luke Pyke</b> <hr/> <i>Print first and last name</i>	<b>District Manager</b> <hr/> <i>Title</i>
<b>Authorized Service Provider Representative</b>	<hr/> luke.pyke@wasteconnections.com <hr/> <i>Email</i>	<hr/> <b>541-412-1057</b> <hr/> <i>Phone</i>
	<hr/> <hr/> <i>Signature</i>	<hr/> <hr/> <i>Date</i>

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: March 10, 2025

Originating Dept: PW/DS

  
\_\_\_\_\_  
Signature (submitted by)  
  
\_\_\_\_\_  
City Manager Approval

---

Subject: Fats, Oil and Grease Ordinance

Recommended Motion:

Motion to adopt Ordinance 25-O-816 amending the Brookings Municipal Code, Title 13 Public Services, adding Chapter 13.45 Regulation of Fats, Oils, and Grease (FOG) Discharges to the Brookings Sanitary Sewer System as described in Exhibit A.

Background/Discussion:

Fat, Oils, and Grease (FOG) released into the City of Brookings (City) wastewater system leads to serious issues of restricted flow capacity, interference with pump stations, deterioration of piping and sewer overflows in the collections system. FOG also can cause excessive foaming in the wastewater treatment plant. The City, to eliminate these detrimental and costly effects, has adopted this Ordinance to be monitored and conducted in accordance with the City FOG Control Program.

Council reviewed the draft FOG ordinance at the November 2024 and the February 2025 council workshops and directed staff to proceed with finalizing the ordinance for adoption at the next Council Meeting. Staff has prepared ordinance 25-O-816 for your review and approval.

Attachments:

1. Draft Ordinance 25-O-816
2. Exhibit A – Draft FOG Ordinance Language



**IN AND FOR THE CITY OF BROOKINGS**  
**STATE OF OREGON**  
**ORDINANCE 25-O-816**

**IN THE MATTER OF ORDINANCE 25-O-816, AN ORDINANCE AMENDING TITLE 13 PUBLIC  
SERVICES IN THE BROOKINGS MUNICIPAL CODE**

**Sections:**

Section 1. Ordinances Identified.

Section 2. Revise Chapter 13.10.160 Class of Sewer Permits, 13.10.350 Grease, oil and sand interceptors and 13.10.360 Pretreatment devices – installation and maintenance.

Adds Chapter 13.45 Regulation of Fats, Oils, and Grease (FOG) Discharges to the Brookings Sanitary Sewer System

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Title 13 Public Services

Section 2. Revise Chapter 13.10.160 Class of Sewer Permits, 13.10.350 Grease, oil and sand interceptors and 13.10.360 Pretreatment devices – installation and maintenance.

Adds Chapter 13.45 Regulation of Fats, Oils, and Grease (FOG) Discharges to the Brookings Sanitary Sewer System as presented in Exhibit A attached hereto with additions designated in bold and underlined and deletions being bold and struck out.

First Reading: \_\_\_\_\_

Passage: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage on \_\_\_\_\_ day of \_\_\_\_\_, 2025

ATTEST:

\_\_\_\_\_  
Mayor /Council President

\_\_\_\_\_  
City Manager Tim Rundel

# Exhibit A

## Title 13 Public Services

### Changes to BMC:

(additions are **bold and underlined**, deletions are **~~bold and strikeout~~**)

#### **13.10.160 Classes of sewer permits.**

There shall be ~~two~~ **three** classes of sewer permits:

A. For residential and commercial service

B. For service to establishments producing industrial wastes; **and**

**C. For service to food preparation establishments**

**[Ord. 88-O-430 Art. IV § 6.]**

#### 13.10.350 Grease, oil and sand interceptors.

Grease, oil and sand interceptors shall be provided at establishments **producing industrial wastewater** when, in the opinion of the city, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, clay, sand, or other harmful ingredients. All interceptors shall be of a type and capacity approved by the city, and shall be located as to be readily and easily accessible for cleaning and inspection. [Ord. 88-O-430 Art. V § 7.]

#### 13.10.360 Pretreatment devices – Installation and maintenance.

Where preliminary treatment, interceptors or flow-equalizing facilities are provided for any waters or wastes **at establishments producing industrial waste**, they shall be installed and maintained continuously in satisfactory and effective operation by the owner at his expense. All grease, oil and sand interceptors, pretreatment devices, control manholes, and other related apparatus shall be inspected to verify correct function upon installation and at least annually thereafter. Annual inspections shall be performed by a city of Brookings approved vendor and shall comply with all state, county, and city requirements. A copy of the annual inspection report shall be provided to the city of Brookings public works director. [Ord. 16-O-765 § 2; Ord. 88-O-430 Art. V § 8.]

## **Chapter 13.45 Regulation of Fats, Oils, and Grease (FOG)** **Discharges to the Brookings Sanitary Sewer System**

### **Sections:**

**13.45.010 General Introduction**

**13.45.020 Applicability**

**13.45.030 Purpose**

**13.45.040 Definitions**

**13.45.050 Food Preparation Establishment (FPE) Permitting Program**

**13.45.060 Wastewater Discharge Limitations and Prohibitions**

**13.45.070 Outdoor Grease Interceptor Requirements**

**13.45.080 Fees and Billing**

**13.45.090 Administrative Enforcement and Abatement**

### **13.45.010 General Introduction.**

Fat, Oils, and Grease (FOG) released into the City of Brookings (City) wastewater system leads to serious issues of restricted flow capacity, interference with pump stations, deterioration of piping and sewer overflows in the collections system. FOG also can cause excessive foaming in the wastewater treatment plant. The City, to eliminate these detrimental and costly effects, has adopted this Ordinance to be monitored and conducted in accordance with the City FOG Control Program.

### **13.45.020 Applicability.**

- A. This Ordinance applies to facilities classified as Food Preparation Establishments (FPEs) as defined herein that are connected to the public sewer system, excluding residential and significant industrial facilities.**

### **13.45.030 Purpose**

- A. The purpose of this Ordinance (also referred to herein as the "FOG Ordinance") is to:**

- 1. Prevent the introduction of excessive amounts of grease into the City's public sanitary sewer system;**
- 2. Prevent clogging or blockage of the City's public sanitary sewer system due to grease buildup causing sewage to backup and flood streets, residences and commercial buildings, resulting in potential liability to the City, residences, commercial buildings and others;**
- 3. Prevent clogging or blockage to prevent sewer overflows to navigable waters of the State;**
- 4. Implement a procedure to recover the cost incurred from cleaning and maintaining sewer lines due to improper grease disposal;**
- 5. Implement a procedure to recover costs for any liability incurred by the City for damage caused by grease blockages resulting in the flooding of streets, residences, or commercial buildings;**
- 6. Issue FOG Discharge Permits to FPEs and establish maintenance and monitoring requirements, and enforcement activities;**
- 7. Establish administrative procedures and reporting requirements;**
- 8. Establish permit fees for the recovery of costs resulting from this FOG Ordinance; and**
- 9. Establish enforcement procedures for violations of any part or requirement of this Ordinance.**

### **13.45.040 Definitions.**

**The following definitions shall apply to this Ordinance:**

- A. "Authorized Representative of the User" means**

- 10. If the User is a corporation:**

- a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the business/corporation; or**
- b. The manager of one or more FPE facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and**

initiating and directing other comprehensive measures to assure long-term compliance with laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

11. If the User is a partnership or sole proprietorship: A general partner or proprietor, respectively.
12. If the User is a federal, state, or local governmental facility: A director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility or their designee.
13. The individuals described in paragraphs 1 through 3 may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

B. "Automatic Grease Recovery Unit, (AGRU)" means an indoor grease trap that separates grease from wastewater by active mechanical or electrical means. Such traps should be as far away as possible from grease-bearing (cleaning) equipment, such as sinks, before exiting the building. See definition of Grease Trap.

C. "Best Management Practice, (BMP)" means the practices and procedures of a facility designed to prevent or minimize environmental damage. BMPs include but are not limited to treatment requirements, operating procedures, practices to control spillage or leaks, and grease disposal.

D. "City" means the City of Brookings acting through the City Council of Brookings and the City's duly authorized officers or agents on its behalf.

E. "City Manager" means the person designated by the City to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this Ordinance or a duly authorized representative (designee).

F. "Fats, Oils and Grease (FOG)" means any fats, oils and grease generated from the food preparation process. All are sometimes referred to as "grease." The current methods approved under Title 40 Code of Federal Regulations (CFR) Part 136 measure total FOG that may contain hydrocarbon FOG from petroleum sources. For the purposes of this City Ordinance the term FOG will refer to total FOG.

G. "Food Preparation Establishments (FPE)" means facilities that are regulated by the Brookings Health Department and are classified as a Class III or Class IV food service establishment, defined as:

- Class I: Establishment serves only prepackaged foods and/or beverages.
- Class II: Establishment uses cold or ready-to-eat processed food.
- Class III: Establishment has exposed foods prepared by hot processes and consumed within 4 hours of preparation.
- Class IV: Establishment has exposed foods prepared by hot processes held for 4 hours or more prior to consumption.

or other facilities that engage in similar cooking methods that have the potential to produce fats, oils and grease.

The City Manager or their designee reserves the right to reclassify any establishment to either a higher or lower Class based on these criteria: a better understanding of facility operations (based on facility-reported information and/or City inspection), a change in facility operations, and/or

evidence that the facility has caused or contributed to a blockage or interference in the collection system through the discharge of FOG.

H. "Existing FPE" means any FPE in existence at the time of the initial adoption of this Ordinance.

I. "New FPE" means any FPE that is established in a newly constructed building or in a building that previously was not a food establishment. An FPE that changes its menu substantially enough to move upward in Class may also be classified as a New FPE at the sole discretion of the City Manager or their designee.

J. "FOG Discharge Permit" means a permit issued by the City Manager or their designee authorizing the discharge of wastewater to the public sanitary sewer system from an FPE.

K. "Grease Disposal Facility (GDF)" means a regional collection/transfer/disposal site approved in accordance with the law for the disposal of FOG. This means an Oregon Department of Environmental Quality (ODEQ)-approved publicly/privately owned treatment works that is for the separation and disposal of FOG by incineration or other methods.

L. "Grease Trap" means (collectively) devices intended to capture grease without the use of underground interceptors, including but not limited to sink traps, passive floor traps (indoor or outdoor) and AGRUs.

M. "Grease Interceptor" means an underground tank with baffles needed for FOG collection and access ports to facilitate cleaning, inspection and/or maintenance.

N. "Hauler" means any person who collects the contents of a grease trap or interceptor (Non-renderable Grease) and transports it to a GDF. A Hauler may also provide other services to FPEs related to trap maintenance. Haulers must be licensed in accordance with state and federal regulations.

O. "Non-renderable Grease" means fats, oils, and grease generated from food preparation or serving that has come into contact with water or other contaminants shall prevent this FOG from being rendered, also called Brown Grease. See Renderable Grease.

P. "Permittee" the Permittee represents the FPE and is authorized by the issuance of a FOG Discharge Permit to initiate, create, originate, or maintain a wastewater discharge from the FPE. The Permittee shall be the Authorized Representative of the User.

Q. "Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity or their legal representatives, agents, or assigns. This definition includes all federal, state, and local governmental entities.

R. "Public Sanitary Sewer System" means a sewer in which all owners of abutting properties have equal rights and which is controlled by a public authority. Includes the main pipe, manholes, other structures, and equipment appurtenant thereto controlled and maintained by the City for the conveyance of sanitary sewage.

S. "Renderable Grease" means the uncontaminated FOG from the food preparation process that is free of impurities and has not come into contact with water and can be recycled into products such as, but not limited to, animal feed or cosmetics.

T. "Renderer" means any person who collects renderable grease from an FPE and transports it to another site for recycling.

U. "Variance" means a permit that reduces the obligations of an FPE. A variance, when granted, shall serve as a permit. Variances shall be granted at the sole discretion of the City Manager or their designee. Variances must be displayed onsite.

The City Manager or their designee reserves the right to revoke any variance based on a better understanding of facility operations (based on facility-reported information and/or City

inspection), a change in facility operations, and/or evidence that the facility has caused or contributed to a blockage or interference in the collection system through the discharge of FOG.

### **13.45.050 Food Preparation Establishment (FPE) Permitting Program:**

**A. All FPEs discharging wastewater to the public sanitary sewer system are subject to the following requirements.**

- 1. Permitting: All FPE's shall be required to apply for and obtain a FOG Discharge Permit or variance from the City Manager or their designee. The City Manager or their designee shall approve or deny all applications for FOG discharge permits in accordance with the policies and regulations established in this Ordinance. The FOG Discharge Permit shall be in addition to any other permits, registrations, or occupational licenses, which may be required by federal, state, or local law. It shall be a violation of this Ordinance for any FPE identified by the City Manager or their designee to discharge wastewater containing fats, oils and grease to the public sanitary sewer system without a current FOG Discharge Permit.**
- 2. Application Form: The City Manager or their designee shall provide an application form for a FOG Discharge Permit to all FPEs. All existing FPEs shall submit a completed application form within 60 days of: (a) receipt of the application, or (b) prior to the expiration of their valid FOG Discharge Permit. New FPEs shall obtain a FOG Discharge Permit prior to issuance of a Food Service License. Each application form submitted shall include but not be limited to the following information.**
  - a. The FPE's engineer's design report for outdoor grease interceptor, grease trap or AGRUs, including unit specifications, cut sheet, and sizing calculations. Sizing shall not be less than specified in § 13.45.070 (E)(3).**
  - b. Hours of facility operation.**
  - c. A copy of the FPE's menu.**
  - d. A statement signed by the Authorized Representative as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate, and complete to the best of my knowledge and belief."**
- 3. Application Procedure: Upon the filing of a completed FOG Discharge Permit Application form with fee, and variance application if applicable, the City Manager or their designee shall review and approve or deny a FOG Discharge Permit. No system modification shall be initiated until approval is obtained.**
- 4. FOG Discharge Permit:**
  - a. The FOG Discharge Permit must be displayed in a prominent location where it can be seen by staff.**
  - b. A FOG Discharge Permit shall not be transferred or sold to a new owner. A new owner is required to apply to the City Manager or their designee for a new FOG Discharge Permit.**
  - c. A new FOG Discharge Permit must be applied for when renovations are completed at an existing FPE or upon making significant changes to the menu that may change the amount of FOG discharged by 25% (either increased or decreased). Any questions about whether a change is significant shall be directed to the City's FOG program manager.**
  - d. The terms and conditions of the permit are subject to modification by the City Manager or their designee during the term of the permit. If due to changes in this Ordinance**

modifications to a facility are required to remain in compliance, the Permittee shall be informed at least 6 months prior to the compliance date of the new requirement or 6 months prior to the expiration date of the existing permit.

- 5. Entry:** Each FPE shall allow the Inspector, bearing proper identification, access at all reasonable times to all parts of the premises for the purpose of inspection, observation, records examination, measurements, sampling and testing in accordance with the provisions of this Ordinance. The refusal of any FPE to allow the Inspector official entry for purposes of inspection or performing such other duties as shall be required shall constitute a violation of this Ordinance. The City may pursue legal action as provided for in §13.45.090 as may be advisable and reasonably necessary for Inspectors to carry out their duties.
- 6. Inspection:** The Inspector shall inspect the FPE on an unscheduled basis after a FOG Discharge Permit has been issued to confirm compliance with the requirements of this Ordinance. All FPEs with a current FOG Discharge Permit shall be inspected. Inspections shall include but not be limited to all equipment, food processing, cleanup and storage areas and shall include any area that produces wastewater discharge to the grease trap. The Inspector shall also inspect the grease trap maintenance logbook and/or file and other data pertinent to the grease trap and may check the level of the trap contents and/or take samples/measurements as necessary. The Inspector shall record all observations in a written report. Any deficiencies as provided in this Ordinance shall be noted.
- 7. Violation Reporting:** A Permittee shall immediately notify the City Manager or their designee by telephone upon learning or having reason to believe that a discharge may cause a sewer blockage or adversely affect the public sanitary sewer system and initiate corrective action to prevent further violations.

The Permittee shall file a written report of the violation and corrective actions taken to the City Manager or their designee within 5 days of the Permittee learning of such violation. Failure to report may result in a fine pursuant to §13.45.080.

### **13.45.060 Wastewater Discharge Limitations and Prohibitions:**

- A.** No User shall allow wastewater discharge concentrations from a grease trap or alternative pretreatment technology to exceed 100 milligrams per liter (mg/L). All analyses shall be conducted according to the current method as listed in 40 CFR 136 or as approved in writing by the City Manager or their designee. All costs associated with testing are the responsibility of the FPE.
- B.** Where outdoor grease interceptors/traps are used, separate wastewater lines shall be provided to convey the sanitary and kitchen wastewater outside the facility. Only wastewater from the kitchen and cleanup areas shall be directed to the grease trap. In no case shall sanitary wastewater be allowed to enter a grease interceptor/trap.
- C.** Wastewater having a temperature in excess of 140 degrees Fahrenheit shall not be discharged into any AGRU or other grease trap.
- D.** Dishwashers equipped with prewash sinks shall be prohibited from discharging to grease interceptors or grease traps. Prewash sinks shall be discharged to the grease interceptor.
- E.** Any use of enzymes, solvents, emulsifiers, biological agents and similar material for maintaining or cleaning grease traps is prohibited.
- F.** No food grinder or food pulper shall discharge into a grease trap.
- G.** All wastewater flows connected to grease traps shall be screened to prevent solids from entering the grease trap. Screened solids shall be disposed of in accordance with applicable solid waste regulations.

### **13.45.070 Outdoor Grease Interceptor Requirements:**

- A. Requirements: All new FPEs are required to have an outdoor grease interceptor or a variance.**
- B. Equipment Requirements: On or after the effective date of this Ordinance, all FPEs discharging to or proposing to discharge to the City's public sanitary sewer system shall submit an application and obtain a permit to operate and maintain an outdoor grease interceptor, a variance for an AGRU, or a variance from the requirements of this Ordinance as established by § 13.45.070 (F)(1). All outdoor grease interceptors shall meet the requirements of this Ordinance.**
- C. On or after the effective date of this Ordinance, the City Manager or their designee shall require an existing FPE to install, operate, and maintain a new grease interceptor that complies with the requirements of this Ordinance or to modify any non-compliant plumbing or existing grease trap within 60 days of written notification by the City Manager or their designee when any of the following conditions exist.**
- 1. The establishment is found to be contributing grease in quantities to cause pipe blockages or increase maintenance on the public sanitary sewer system.**
  - 2. The establishment does not have a grease interceptor or a variance.**
  - 3. The establishment has an undersized, irreparable, or defective grease interceptor or qualified equipment used to obtain a variance.**
  - 4. Existing establishment is sold or undergoes a change of ownership.**
  - 5. Remodeling of a kitchen, which requires a plumbing permit to be issued by the City.**
  - 6. The menu of an establishment changes such that it meets the requirements of an FPE.**
- D. Variance from Outdoor Grease Interceptor Requirements: An AGRU may only be installed in lieu of a Grease Interceptor after authorization by the City Manager or their designee. The FPE shall request a variance in writing, which shall consist of a completed Program Application and Variance Application. Variances shall be granted only when it is infeasible to install an interceptor and/or when the FPE can both demonstrate to the City Manager or their designee that adequate control of the discharge of FOG exists, and that discharges will not interfere with the collection system and will also meet the 100 -mg/L FOG limitation.**
- E. Outdoor Grease Interceptor: Outdoor grease interceptors shall be installed in all FPEs as described in § 13.45.070 (B) and (C). All grease interceptors shall meet the following criteria.**
- 1. Interceptor Design and Location: Outdoor grease interceptor shall have a minimum of two compartments and shall be capable of separation and retention of grease and storage of settled solids. Access manholes with a minimum diameter of 17 inches shall be provided over each trap chamber and sanitary tee. The manhole also shall have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities. The invert elevation of the inlet shall be between 3 and 6 inches above the invert elevation of the outlet.**
  - 2. The trap shall be designed, constructed, and installed for adequate load-bearing capacity.**
  - 3. Trap Capacity: The minimum capacity of any one unit shall be:**
    - Fast Food Facilities: 1,000 gallons**
    - Full-service Restaurants: 1,500 gallons**
    - Prisons and Hospitals: 2,000 gallons**
  - 4. These stated sizes may be increased if in the opinion of the City Manager or their designee additional capacity is needed. Where sufficient capacity cannot be achieved with a single unit, installation of grease interceptors in series is required. For FPEs not listed in**



paragraph 3, the City Manager or their designee will calculate and require sizing based on an industry-accepted standard calculation.

5. Pumping and Maintenance: Each FPE shall be responsible for the cost of installing, inspecting, pumping, cleaning, and maintaining its outdoor grease interceptor/trap. Outdoor grease interceptor cleaning shall include complete removal of all contents, including scraping of excessive solids from the walls, floors, baffles, and all pipe work. It shall be the responsibility of each FPE to inspect its outdoor grease interceptor during the pumping operation to ensure proper cleaning and that all fittings and fixtures are functioning properly.
  6. Outdoor Interceptor Pumping Frequency: Each FPE shall have its outdoor grease interceptor(s) pumped whenever 25% of the operating depth of the outdoor grease trap is occupied by grease and settled solids or a minimum of once every 3 months, whichever is more frequent.
  7. Inspections: The Inspector shall inspect grease interceptors/traps as necessary to ensure compliance with this Ordinance.
  8. Disposal: Renderable grease shall not be disposed of in any sewer, septic tank, or grease interceptor/trap. All renderable grease shall be stored in a separate, covered, leak-proof, labeled, renderable grease container stored out of reach of vermin and collected by a Renderer.
  9. Grease removed from outdoor grease interceptors shall be disposed of at a GDF permitted by ODEQ.
  10. Recordkeeping: Each FPE shall maintain a logbook in which a record of all grease trap maintenance is entered, including the date and time of the maintenance, repairs, records of inspection, log of pumping activities and GDF. The file shall be available at all times for inspection and review by the Inspector.
- F. Variance Procedure: Two types of variances may be granted, Program Variances and Equipment/BMP Variances, as follows.
1. Program Variances: The City or their designee may, at their sole discretion, exempt from this FOG Program facilities that meet the definition of FPE but whose wastewater discharge contributes negligible FOG to the sanitary sewer. This may include:
    - a. FPE's that are itinerant vendors, either truck or cart, with no fixed sewer connection;
    - b. FPE's that meet the Class I or Class II definition; or
    - c. Facility's generating a volume of wastewater less than 250 gallons per day; or
    - d. Class III FPE's that do not employ frying, sautéing, baking or roasting of meats or the use of rotisseries, grills, smokers, or other methods and/or food items that have the potential to generate fats, oils or grease.
  2. Equipment/BMP Variances: At the request of the Permittee, the City Manager or their designee, at their sole discretion, may grant a variance from the equipment or BMP requirements of this Ordinance. Any change to the conditions of the variance must be reported to the City Manager or their designee for review within 30 days.
- G. Alternative Grease Removal Devices: The City or their designee, at their sole discretion, may approve these types of devices, depending on manufacturer's specifications and verified operations, on a case-by-case basis. Alternative devices shall be subject to written approval based on a demonstration prior to installation.
3. AGRU: AGRUs shall be prohibited at new FPEs, except as granted by variance at the discretion of the City or their designee per § 13.45.070 (B).
  4. AGRU Size: The AGRU design flow shall be sized by a licensed engineer according to the City's guidelines, including all connected fixtures and drains.

5. AGRU shall have a removable lid on the top surface to facilitate inspection, cleaning and maintenance.
  6. Flow Control Device: AGRUs shall be equipped with a device to control the rate of flow through the unit and shall not exceed the design flow capacity.
  7. Cleaning and Maintenance: Each FPE shall be solely responsible for the cost of the AGRU installation, cleaning, and maintenance. The AGRU shall include a skimming device, automatic draw-off or other mechanical means to automatically separate fats and oils from the wastewater using a timer or level controller. The AGRU shall be connected to the electrical circuit by either hardwire or cord and plug. The AGRU shall operate no less than once per day.
- H. Other Approved Unit: If the Permittee requests the use of a unit other than an outdoor grease trap or an AGRU, the Permittee must demonstrate to the City Manager or their designee that the proposed unit can reliably meet the effluent limitations established in this Ordinance. Only after receiving approval from the City or their designee will the Permittee be authorized to install the proposed unit.
- I. An FPE that has been granted a variance shall have 30 days to report to the City or their designee and the Brookings Health Department any changes that cause a violation in the terms of the variance. Changes that may cause a violation to the terms of the variance may include but are not limited to hours of operation, food preparation techniques, or changes to the menu.

### **13.45.080 Fees and Billing:**

- A. The fees provided for in this Ordinance are separate and distinct from all other fees chargeable by the City. All invoiced fees, pursuant to this Ordinance, shall become immediately due and owed upon receipt of invoice and shall become delinquent if not fully paid within 30 days after receipt. Any delinquent amount shall be subject to the late fee.
- B. Fines shall fall into four classifications: Reporting violations (including failure to apply for permit), numerical limits violations (local limits), BMP violations, and equipment installation violations. The City's current fees applicable to all applications and permits pursuant to this Ordinance will be adopted by resolution by the City Council. Violations will be assessed per Chapter 1.05 General Penalty.
- C. FPEs shall be responsible for any processing fees on payments made through third parties. Processing fees include but are not limited to credit card fees, online payment fees and collection fees.

### **13.45.090 Administrative Enforcement:**

- A. Violations: If the City Manager or their designee records any deficiencies during an inspection, they will provide written or electronic Notice of Violation (NOV) to the FPE with instructions to correct the deficiency. An NOV shall be issued to an FPE for any one or more of the following violations:
  1. Failure to properly clean and maintain the grease trap in accordance with the provisions of the FOG Ordinance.
  2. Failure to report changes in operations.
  3. Failure to report an unauthorized grease discharge per § 13.45.050 (A)(7).
  4. Failure to maintain grease records, including documentation of pumping activities, GDF or receipts onsite at all times.
  5. Failure to provide access for trap/interceptor cleaning, inspection, or monitoring activities.

- 6. Failure to obtain or renew a Discharge Permit in a timely manner.**
  - 7. Failure to store grease in a proper container or dispose of grease at an approved facility.**
  - 8. Failure to correct deficiencies noted in NOV within 30 days of notice for BMP violations. This violation shall be considered a second infraction.**
  - 9. Failure to correct deficiencies noted in NOV within 60 days of notice for equipment violations. This violation shall be considered a second infraction.**
  - 10. Any other failure to comply with the requirements of this Ordinance or conditions of any permit issued pursuant to this Ordinance.**
  - 11. Within 30 days, the Permittee shall have the right to appeal the issuance of an NOV.**
  - 12. All NOVs shall be addressed and corrections reported in writing to the City Manager or their designee within 30 days, except for repair or installation of equipment that must be completed and reported within 60 days, unless the FPE requests in writing an appeal or an extension. An appeal shall not be grounds to extend the time requirements of this paragraph. Extensions will be granted at the sole discretion of the City Manager or their designee.**
- B. Enforcement Actions: Enforcement actions against FPEs in violation of this Ordinance shall be according to the following provisions.**
- 1. Initial Violation Penalties: The City Manager or their designee may take enforcement actions against FPEs, including fines, consent agreements, compliance agreements or written agreements for voluntary compliance, or with any User or other person responsible for non-compliance. Such documents will include specific actions to be taken to correct the non-compliance within a time period specified by the document. Such documents shall be judicially enforceable. Corrective actions may include but are not limited to:**
    - a. Submittal of records for trap maintenance, immediate pump-out of the trap, or establishment of an ongoing contract with a Hauler or Renderer.**
    - b. Requirements for submittal of plans or upgrade of grease traps, including time frames for preparation of plans, acquisitions of necessary equipment, initiation of construction (including time for permit approval, where required), completion of construction and date for achievement of final compliance within the provisions of the NOV and this Ordinance.**
    - c. NOV Actions and Fines**
      - For the first violation in any 18-month period, an NOV will be issued with required corrective actions. Corrections must be made and reported or appealed within the time periods specified in § 13.45.090 (A)(11) and (12). At the sole discretion of the City Manager or their designee, a Tier 1 fine may be issued.**
      - For a second violation in any 18-month period, a second NOV and a citation will be issued pursuant to Chapter 1.05 BMC. [Ord. 07-O-590 § 5; Ord. 88-O-430 Art. XI § 2.] Additionally, the FPE will be required to bring the facility into full compliance. Where the FPE cannot meet this requirement immediately, the FPE will prepare a plan within 30 days of the NOV that outlines the soonest that equipment and other measures can be installed to meet full compliance. This plan will be submitted to the to the City for review and approval. Upon approval, the City Manager or their designee will issue a compliance schedule to meet the plan with milestones and specific time limits for each milestone. The plan will also specify that the FPE must report completion of each milestone within 10 days after the milestone is reached. If an FPE cannot meet a milestone, it shall report this within 10 days of the milestone, including additional efforts that will be taken to accelerate activities to continue to meet all future milestones leading to compliance.**

- If a user of the system, including a Hauler, a Renderer, or an FPE, is discovered discharging FOG to a nonapproved discharge location (for instance, using a manhole in the City's wastewater collection system), enforcement for this action will be an immediate Tier 4 fine. This violation will not move through Tiers 1 through 3 as described above.
  - The time schedule will be enforceable at the discretion of the City Manager or their designee for missed milestones and completion of the schedule.
2. Continued Violations: If an FPE violates or continues to violate the provisions set forth in this Ordinance or fails to initiate/complete corrective action in response to an NOV(s), the City or their designee may pursue one or more of the following options:
    - a. Referral to other appropriate enforcement agencies for further action, that is, the Brookings Health Department.
    - b. Refer the NOV to the Brookings Health Department, recommending closure of the facility and/or denial of Food Service License renewal.
  3. The City may issue an immediate Cease and Desist Order when necessary to protect the public health, safety and welfare of the City or the environment.
  4. Discharge Permit Revocation: Any Discharge Permit issued under the provisions of this Ordinance is subject to be modified, suspended, or revoked in whole or in part during its term for failure to comply with the terms of this Ordinance.
  5. Any denial or revocation of a permit pursuant to this Ordinance may be appealed to the City. The Permittee shall have 15 days from date of notification of the permit denial or revocation to submit a written request for a hearing before the City. Failure to file an appeal constitutes acceptance of the decision to deny or revoke the permit and any conditions thereof.
  6. If an appeal is filed, the City shall conduct a public hearing and decide within 60 days from receipt of appeal whether to grant the permit. The decision of the City shall be final. Cause for FOG Discharge Permit modification, suspension, or revocation shall include but not be limited to any one of the following:
    - a. Falsification of any information submitted as part of the application for the Discharge Permit.
    - b. Failure to comply with the requirements or regulations concerning discharges to the public sanitary sewer system.
    - c. Failure to comply with the requirements or regulations concerning grease interceptors/traps in this Ordinance.
    - d. Failure to pay required fees or penalties in a timely manner.
    - e. Failure to attend required BMP training courses if required by the City Manager or their designee.
    - f. When necessary to protect the public health, safety and welfare of the City.
  7. Recovery of Costs: When a discharge causes any obstruction, damage or any other impairment to the public sanitary sewer system, damage to public or private property, or any expense of whatever character or nature to the City, the City shall assess the expenses incurred to clear the obstruction and/or repair damage to the system and any other expenses or damage of any kind or nature suffered by the City as a result thereof, including reimbursement for damage to private property. The City may file a claim with the User or other person that caused the obstruction, damage or other impairment for recovery of such costs, including any collection costs. If the claim is ignored or denied, the City shall notify the City Attorney to take such measures as shall be appropriate to recover any expense or to correct other damages suffered by the City.

8. **Remedies Nonexclusive: The remedies for this Ordinance are not exclusive. The City may take any, all, or any combination of these actions against any person violating this FOG Ordinance.**
  9. **Search Warrant: The City, through the City's Attorney, may seek to obtain a search warrant from the appropriate authority to gain access to an FPE's facility for the purposes of verification of compliance inspection and monitoring as provided for under 13.45.050 (A)(5) if such lawful entry has previously been denied by the FPE.**
  10. **Citation to Superior Court: Notwithstanding any of the aforementioned, the City may cite any User to Superior Court for violation of any provision of this Ordinance. A violation of any condition or requirement of a Discharge Permit, or failure to obtain such a permit, shall be deemed to be in violation of this Ordinance.**
  11. **Injunction and Other Relief: The City, through the City's Attorney, may file a petition in the name of the City in Superior Court or such other courts as may have jurisdiction seeking the issuance of an injunction, damages or other applicable law or regulation. Suit may be brought to recover any and all damages suffered by the City as a result of any action or inaction of any person that causes or suffers damage to occur to the City's public sanitary sewer system.**
- C. Upon issuance of a third NOV in any 18-month period, any person found to have continued to violate any provision of this Ordinance, or any condition of a permit issued pursuant to this Ordinance, may be liable for an additional civil fine up to \$1,000 per violation. Each separate violation shall constitute a separate offense, and each day's continuance of a violation shall constitute a separate and distinct violation. In addition to the penalties provided herein, the City may recover attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, regulations, and permits issued hereunder.**



## Report Criteria:

Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Amount	Invoice GL Account	Invoice GL Account Title
02/25	02/10/2025	92540	5939	Curry Coastal Pilot	260.00-	V 10-19-6030	Operating Supplies
02/25	02/06/2025	92936	4939	Bi - Mart Corporation	310.59	20-21-6120	Training/Travel
02/25	02/06/2025	92937	2407	Blue Star Gas	130.00	10-13-6030	Operating Supplies
02/25	02/06/2025	92938	313	Brookings Vol Firefighters	2,250.00	10-14-6165	B.F.A. Services
02/25	02/06/2025	92939	715	Budge McHugh Supply	3,233.61	20-21-6030	Operating Supplies
02/25	02/06/2025	92940	5567	CAL/OR Insurance Agency	683.33	30-10-6115	Insurance/Bonds
02/25	02/06/2025	92941	5070	Canon U.S.A. Inc	95.60	10-13-6030	Operating Supplies
02/25	02/06/2025	92942	3015	Charter Communications	749.96	30-10-6135	Communications
02/25	02/06/2025	92943	5822	Chaves Consulting Inc	370.20	49-10-7030	Computer Hardware
02/25	02/06/2025	92944	5952	Chetco Auto Marine & Industrial Supply	275.38	10-16-6015	Equipment Maintenance
02/25	02/06/2025	92945	5827	Coastal Investments LLC	960.00	10-19-6090	Contract Services
02/25	02/06/2025	92946	5874	Cumulus Global	91.00	49-10-6090	Contract Services
02/25	02/06/2025	92947	259	Da-Tone Rock Products	779.32	20-21-6030	Operating Supplies
02/25	02/06/2025	92948	185	Del Cur Supply	231.17	10-16-6030	Operating Supplies
02/25	02/06/2025	92949	1	Radiantz	32.91	20-00-2070	Deposits
02/25	02/06/2025	92950	1	Anthony White	104.18	20-00-2070	Deposits
02/25	02/06/2025	92951	371	Dept of Environmental Quality	202.80	20-21-6030	Operating Supplies
02/25	02/06/2025	92952	6320	Donovan Enterprises Inc	1,925.00	59-57-7025	Construction
02/25	02/06/2025	92953	5432	First Community Credit Union	3,560.00	25-31-8010	Interest
02/25	02/06/2025	92954	6265	H&S Energy Group	3,468.60	10-13-6030	Operating Supplies
02/25	02/06/2025	92955	4357	Hemlock Street Properties LLC	2,160.00	10-13-6090	Contract Services
02/25	02/06/2025	92956	202	League of Oregon Cities	65.00	10-12-6120	Training/Travel
02/25	02/06/2025	92957	4269	Gary Milliman	325.00	10-11-6090	Contract Services
02/25	02/06/2025	92958	4443	Napa Auto Parts-Golder's	144.52	25-31-6030	Operating Supplies
02/25	02/06/2025	92959	4487	Net Assets Corporation	135.00	10-12-6090	Contract Services
02/25	02/06/2025	92960	5008	Online Information Services	57.79	10-12-6090	Contract Services
02/25	02/06/2025	92961	4332	Oregon Assoc Chiefs of Police	24.50	10-13-6035	Miscellaneous
02/25	02/06/2025	92962	252	Paramount Pest Control	225.00	10-19-6090	Contract Services
02/25	02/06/2025	92963	322	Postmaster	1,200.00	25-31-6005	Office Supplies
02/25	02/06/2025	92964	322	Postmaster	25.00	10-19-6030	Operating Supplies
02/25	02/06/2025	92965	207	Quill Corporation	181.49	10-19-6005	Office Supplies
02/25	02/06/2025	92966	3	Premier Ocean Properties	15.59	20-04-4160	Utility User Fees
02/25	02/06/2025	92967	3	M & M United Inc	52.86	20-04-4160	Utility User Fees
02/25	02/06/2025	92968	3499	Simplot Grower Solutions	3,498.97	10-16-6030	Operating Supplies
02/25	02/06/2025	92969	380	Stadelman Electric Inc	4,953.00	50-10-7024	Parks Projects
02/25	02/06/2025	92970	2125	State of OR Water Resources Dept	790.00	20-21-6090	Contract Services
02/25	02/06/2025	92971	2863	Verizon Wireless	716.19	10-13-6135	Communications
02/25	02/06/2025	92972	861	Village Express Mail Center	15.85	20-21-6032	Backflow Prevention
02/25	02/06/2025	92973	2122	Cardmember Service	7,952.87	61-41-6030	Supplies - K9
02/25	02/06/2025	92974	6258	Wild Rivers Film Festival	2,000.00	32-10-6090	Contract Services-Events
02/25	02/13/2025	92975	5908	Amazon Capital Services	397.83	10-19-6005	Office Supplies
02/25	02/13/2025	92976	5871	BALCO Uniform Co Inc	70.00	10-13-6025	Uniform Allowance
02/25	02/13/2025	92977	6072	Salmon Run Golf Course	69,759.00	10-00-1017	Golf Course Deposit
02/25	02/13/2025	92978	4532	Brookings Harbor School District 17c	238.61	62-41-6090	Contract Services
02/25	02/13/2025	92979	6178	Brookings Police Association	432.00	10-13-6035	Miscellaneous
02/25	02/13/2025	92980	6321	C Bar C Truck Sales LLC	5,200.00	10-16-6030	Operating Supplies
02/25	02/13/2025	92981	5070	Canon U.S.A. Inc	5.37	10-13-6030	Operating Supplies
02/25	02/13/2025	92982	5939	Curry Coastal Pilot	260.00	10-19-6030	Operating Supplies
02/25	02/13/2025	92983	153	Ferrellgas	604.89	15-10-6130	Utilities
02/25	02/13/2025	92984	5004	Galls LLC	23.16	10-13-6025	Uniform Allowance
02/25	02/13/2025	92985	1130	H.D. Fowler	3,105.40	20-21-6030	Operating Supplies
02/25	02/13/2025	92986	5754	iFocus Consulting Inc	2,575.00	49-10-6090	Contract Services
02/25	02/13/2025	92987	5858	Jacobs Engineering Group Inc	140,880.83	25-32-6090	Contract Services

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Amount	Invoice GL Account	Invoice GL Account Title
02/25	02/13/2025	92988	3978	KLB Enterprises	1,561.22	25-31-6015	Equipment Maintenance
02/25	02/13/2025	92989	6182	Nathan Krause	293.00	10-13-6120	Training/Travel
02/25	02/13/2025	92990	6182	Nathan Krause	293.00	10-13-6120	Training/Travel
02/25	02/13/2025	92991	5860	Lane Council of Governments	1,380.00	10-15-6090	Contract Services
02/25	02/13/2025	92992	6065	Local Government Law Group PC	536.00	10-12-6065	Legal/Administration Services
02/25	02/13/2025	92993	6122	Owens Pump & Equipment	7,531.77	25-32-7030	Emergency Repairs
02/25	02/13/2025	92994	5101	Pitney Bowes Reserve Acct	500.00	10-19-6030	Operating Supplies
02/25	02/13/2025	92995	207	Quill Corporation	111.93	10-19-6005	Office Supplies
02/25	02/13/2025	92996	4542	Umpqua Bank	5,322.00	45-10-8010	Interest Payments
02/25	02/13/2025	92997	4734	Vestis Services LLC	150.00	10-19-6030	Operating Supplies
02/25	02/13/2025	92998	861	Village Express Mail Center	15.80	10-13-6030	Operating Supplies
02/25	02/13/2025	92999	169	Waste Connections Inc	292.20	61-41-6038	Range Maintenance
02/25	02/13/2025	93000	169	Curry Transfer & Recycling Inc	308.55	15-10-6060	Street Maintenance
02/25	02/13/2025	93001	5992	Ziply Fiber	202.53	30-10-6135	Communications
02/25	02/24/2025	93002	5908	Amazon Capital Services	837.69	10-19-6005	Office Supplies
02/25	02/24/2025	93003	5832	Asante Physician Partners	190.00	10-13-6030	Operating Supplies
02/25	02/24/2025	93004	5070	Canon U.S.A. Inc	288.72	10-15-6030	Operating Supplies
02/25	02/24/2025	93005	182	Coos-Curry Electric Coop	1,837.23	15-10-6060	Street Maintenance
02/25	02/24/2025	93006	6205	James Crafton	21.00	20-21-6120	Training/Travel
02/25	02/24/2025	93007	6078	Curry County Reporter	183.75	10-15-6090	Contract Services
02/25	02/24/2025	93008	317	DCBS - Fiscal Services	510.60	10-00-2075	Sur Tax Payable
02/25	02/24/2025	93009	1	Trice Underground	300.00	20-00-2070	Deposits
02/25	02/24/2025	93010	2640	Dyer Partnership	55,031.87	52-42-7025	Construction
02/25	02/24/2025	93011	5078	Geotechnical Resources Inc	2,461.25	20-21-7030	Emergency Repairs
02/25	02/24/2025	93012	6265	H&S Energy Group	2,934.24	10-13-6030	Operating Supplies
02/25	02/24/2025	93013	4980	iSecure Inc	85.80	10-12-6090	Contract Services
02/25	02/24/2025	93014	328	Les Schwab Tire Center	20.99	10-16-6015	Equipment Maintenance
02/25	02/24/2025	93015	3159	NorthCoast Health Screening	90.00	10-14-6085	Pre-employment screening
02/25	02/24/2025	93016	4	Lucas Jannusch	266.00	10-00-2070	Deposits
02/25	02/24/2025	93017	4	Rayana Pillig	507.00	10-06-4150	Capella Revenue
02/25	02/24/2025	93018	4	Melanie Schafer	266.00	10-00-2070	Deposits
02/25	02/24/2025	93019	4	Richard Zapien	266.00	10-00-2070	Deposits
02/25	02/24/2025	93020	3369	Schwabe Williamson & Wyatt PC	1,302.00	20-21-6065	Legal Services
02/25	02/24/2025	93021	6134	Patrick Smith	2,555.84	10-13-5025	Health Insurance
02/25	02/24/2025	93022	6260	South Coast Community Aquatics Inc	10,000.00	10-18-6090	Contract Services
02/25	02/24/2025	93023	6208	Summit Water Resources LLC	237.50	20-21-6065	Legal Services
02/25	02/24/2025	93024	432	USA BlueBook	243.98	15-10-6030	Operating Supplies
02/25	02/24/2025	93025	861	Village Express Mail Center	14.25	20-21-6030	Operating Supplies
02/25	02/24/2025	93026	169	Waste Connections Inc	2,287.69	10-16-6090	Contract Services
02/25	02/24/2025	93027	5992	Ziply Fiber	138.64	30-10-6135	Communications
02/25	02/27/2025	93028	5108	Brad Kelly, PT	210.00	10-14-6085	Pre-employment screening
02/25	02/27/2025	93029	147	Brookings Glass Inc	95.00	10-19-6090	Contract Services
02/25	02/27/2025	93030	5048	Brookings Harbor Medical Center	150.00	10-16-6030	Operating Supplies
02/25	02/27/2025	93031	2364	C & S Fire-Safe Services LLC	157.00	33-10-6030	Operating Supplies
02/25	02/27/2025	93032	6180	Carahsoft Technology Corp	7,273.44	10-13-6090	Contract Services
02/25	02/27/2025	93033	575	Dell Marketing L.P.	1,297.85	49-10-7030	Computer Hardware
02/25	02/27/2025	93034	1	Kyle Hanson	19.60	20-00-2070	Deposits
02/25	02/27/2025	93035	6092	Earth Planter	1,127.00	15-10-6030	Operating Supplies
02/25	02/27/2025	93036	298	Freeman Rock, Inc	1,040.01	15-10-6030	Operating Supplies
02/25	02/27/2025	93037	1130	H.D. Fowler	1,001.37	20-21-6030	Operating Supplies
02/25	02/27/2025	93038	6030	Hartwick Automotive LLC	170.95	10-13-6015	Equipment Maintenance
02/25	02/27/2025	93039	6182	Nathan Krause	293.00	10-13-6120	Training/Travel
02/25	02/27/2025	93040	6182	Nathan Krause	293.00	10-13-6120	Training/Travel
02/25	02/27/2025	93041	4	Avigail Adomitis	266.00	10-00-2070	Deposits
02/25	02/27/2025	93042	4	Valerie Farrand	482.00	10-06-4140	Other Revenue
02/25	02/27/2025	93043	4	Levon Alldredge	241.00	10-06-4150	Capella Revenue

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Amount	Invoice GL Account	Invoice GL Account Title
02/25	02/27/2025	93044	4	Cathey Barnes	241.00	10-06-4150	Capella Revenue
02/25	02/27/2025	93045	207	Quill Corporation	215.13	10-19-6005	Office Supplies
02/25	02/27/2025	93046	797	Town & Country Animal Clinic	767.00	61-41-6030	Supplies - K9
02/25	02/27/2025	93047	861	Village Express Mail Center	43.34	10-13-6030	Operating Supplies
02/25	02/27/2025	93048	5992	Zipty Fiber	22.94	10-13-6135	Communications
Grand Totals:					384,067.04		

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

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City Recorder: \_\_\_\_\_

Report Criteria:

Report type: Summary