

**CITY OF FIRCREST
ORDINANCE NO. 1738**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON,
ADOPTING A NEW FIRCREST MUNICIPAL CODE SECTION
20.30.1310 TO ALLOW FOR ELECTRONIC REPORTING,
DOCUMENTS, AND SIGNATURES AS PART OF THE CITY'S
INDUSTRIAL WASTEWATER PRETREATMENT PROGRAM;
PROVIDING FOR SEVERABILITY; AUTHORIZING
CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City of Fircrest ("City"), under the authority of RCW Sections [35A.11.020](#), [35A.21.150](#), and [35.67.020](#), and [Article XI, § 11](#) of the Washington State Constitution, owns and operates a municipal wastewater system but does not own or operate a wastewater treatment facility; and

WHEREAS, the City of Tacoma ("Tacoma") owns and operates a publicly owned treatment works ("POTW"), including two wastewater treatment plants, under the authority of RCW Sections [35.21.210](#), [35.21.215](#), [35.67.020](#), and [35.92.020](#), [Article XI, § 11](#) of the Washington State Constitution, and Section 4.1 of the [Tacoma City Charter](#); and

WHEREAS, the City and Tacoma, under the authority of RCW [35.67.300](#), have contracted for the treatment and disposal of wastewater generated in the City and conveyed to Tacoma POTW through a connection(s) to Tacoma's POTW; and

WHEREAS, the City and Tacoma entered into a Sewer Pretreatment Interlocal Agreement ("ILA") governing the conditions upon which Tacoma will accept wastewater from the City and providing for the implementation of Pretreatment standards and requirements in the City, as well as other requirements relating to payments and records; and

WHEREAS, Tacoma updated portions of the Tacoma Municipal Code ("TMC") in 2024 to add provisions to [Chapter 12.08](#) TMC allowing Tacoma to begin accepting electronic reporting, according to the Environmental Protection Agency's ("EPA") Electronic Reporting Rule; and

WHEREAS, pursuant to Section 4.D of the ILA, on February 20, 2025, Tacoma notified the City that the City was required to amend the Fircrest Municipal Code ("FMC") within 120 days of the notice to add provisions consistent with the 2024 updates to [Chapter 12.08](#) of the TMC allowing for the use of electronic reporting, documents, and signatures using a system compliant with 40 CFR Part 3 (Cross-Media Electronic Reporting); and

WHEREAS, the City Council finds it is in the best interests of the City of Fircrest to adopt a new section in [Chapter 20.30](#) of the FMC to allow the City to proceed with electronic reporting, submittal of documents, and signatures as requested by Tacoma and required under Section 4.D of the ILA between the City and Tacoma;

**THE CITY COUNCIL OF THE CITY OF FIRCREST DO ORDAIN AS
FOLLOWS:**

1 **Section 1.** New Section FMC 20.30.1310 (Electronic Records), Adopted: A new
2 Fircrest Municipal Code Section 20.30.1310, to be entitled "Electronic records," is
3 adopted to read as follows:

4 **20.30.1310 Electronic records.**

5 The City of Tacoma Industrial Pretreatment Program accepts
6 electronic documents and signatures using a system compliant
7 with 40 CFR Part 3 (Cross-Media Electronic Reporting). Users
8 that are required to send electronic documents and signatures to
9 the City of Tacoma to satisfy the requirements of this
10 Subchapter must submit a signed subscriber agreement to the
11 City of Tacoma for approval and register online for the
12 reporting service that the City of Tacoma has available. Users
13 will have the opportunity, at the time of signing the subscriber
14 agreement, to review the content or meaning of the subscriber
15 agreement and the provisions of this Subchapter.

16 **Section 2.** Severability: If any section, sentence, clause, or phrase of this ordinance
17 should be held invalid or unconstitutional by a court of competent jurisdiction, such
18 invalidity or unconstitutionality shall not affect the validity or constitutionality of
19 any other section, sentence, clause, or phrase of this sentence.

20 **Section 3.** Corrections. The City Clerk and codifiers of the ordinance are authorized
21 to make necessary corrections to this ordinance, including, but not limited to, the
22 correction of scrivener/clerical errors, references, ordinance numbering,
23 section/subsection numbers, and any references thereto.

24 **Section 4.** Publication and Effective Date: A summary of this ordinance consisting
25 of its title shall be published in the official newspaper of the city. This ordinance
26 shall be effective five (5) days after such publication.

27 **PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST,**
28 **WASHINGTON,** at a regular meeting thereof this 25th day of March 2025.

29 **APPROVED:**

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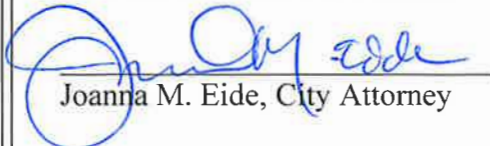
31 Shannon Reynolds, Mayor

32 **ATTEST:**

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34 Arlette Burkhart, City Clerk

35 **APPROVED AS TO FORM:**

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37 Joanna M. Eide, City Attorney

DATE OF PUBLICATION: March 28, 2025

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EFFECTIVE DATE: April 7, 2025