

ORDINANCE NO. : 2015-13

BE IT ORDAINED by the City Council of the City of Alexander City, Alabama, as follows:

SECTION 1: That Chapter 90, Article 1V, Sewer and Sewer Disposal, Division 1, Generally, Section 90-195 Grease Control Program of the Code Of Ordinances of Alexander City, Alabama, be amended to read as follows:

INTRODUCTION

The City of Alexander City, Alabama, Sewer Collection Department and Wastewater Treatment Department have the responsibility to collect, convey, and treat sanitary sewage in Alexander City. Both of these Departments report to the Superintendent of Utilities, whose duties are performed by the Mayor.

FOGs (fats, oils and grease) that are disposed directly into the sanitary sewer system cool, solidify, and combine with other foreign materials in sewer lines and restrict or completely block flow through the pipe. When sewer lines are blocked, wastewater backs up until it overflows from manholes or building plumbing fixtures into storm drains, creeks, or buildings. These overflows are termed Sanitary Sewer Overflows (SSOs) and are a violation of the Clean Water Act. These SSOs subject the City to fines and other legal actions at the discretion of the regulatory agencies (ADEM and EPA). Investigations by the Sewer Collection Department and the City Engineer have shown that grease is the cause of over 55% of dry weather SSOs in Alexander City.

This Grease Control Ordinance is one of many actions taken by the city to minimize the occurrence of SSOs. The Grease Control Program should be evaluated periodically and modified as necessary to maximize its effectiveness.

DEFINITIONS

The following words, terms, and phrases shall have the meaning ascribed to them in this section, except where context clearly indicates a different

Alternative Grease Removal Technology means an automatically operated mechanical device specifically designed to remove grease from the waste stream.

Applicant means the Owner or Agent of any food service facility submitting an application for a Food Service Facility Grease Control Permit to the Alexander City Building Department.

Best Management Practices means any program, process, operating method, or measure that controls, prevents, removes, or reduces the discharge of FOG.

Commercial Dishwasher means, for the purposes of these regulations, any dish washing device that is capable of either producing or using water heated to a temperature of 140 degrees Fahrenheit or greater.

FOG means fats, oils, and grease.

Food means any raw, cooked, or processed edible substance, ice beverage, or ingredient intended for human consumption.

Food Service Facility (FSF) means any facility engaged in the preparation of food for human consumption and/or serving meals, lunches, short orders, sandwiches, frozen desserts, or other edible products. The term includes restaurants, coffee shops, cafeterias, short order cafes, luncheonettes, taverns, lunchrooms, places which manufacture retail sandwiches, soda fountains, institutional cafeterias, catering establishments, and similar facilities by whatever name called.

Fryer Oil means oil that is used and/or reused in fryers for the preparation of foods such as fried chicken and French fries. Discharge of fryer oil into the sewer system is prohibited.

Grease means fats, oils, and grease used for the purpose of preparing food, or resulting from food preparation and includes all elements of FOG. The terms grease and FOG may be used interchangeably.

Grease Interceptor means an indoor device located in a food service facility (usually underneath a sink) designed to collect, contain and remove food wastes and grease from the waste stream while allowing the balance of the liquid waste to discharge to the sanitary sewer system by gravity. Grease interceptors shall be equipped with a device to control the rate of flow so that the device's rated flow is not exceeded and designed such that, when loaded with FOG to its capacity, will not allow any further discharge.

Grease Trap means an outdoor device located underground and outside of a food service facility designed to collect, contain and remove food wastes and grease from the waste stream while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.

Maintenance means the routine inspection, cleaning, and periodic complete removal of all grease interceptor or trap contents including floatable materials, wastewater, sludge and solids. The interceptor or trap must be thoroughly cleaned to remove grease and scum from inner walls and baffles. The interceptor or trap must be filled with cold potable water to complete maintenance operation.

Mobile Food Unit means a self-propelled or vehicle mounted unit intended to be used as a food service facility. Mobile food units are not regulated by this program.

Permit means written authorization to discharge to the City's wastewater collection system granted by the Building Department to the owner of a Food Service Facility or his/her authorized agent. Permits are non-transferable, which means that a new permit is required for a change of owner or location.

Sampling Vault means the last point downstream of a grease trap that is specially constructed to allow inspection and sampling prior to discharge of effluent into the City's sanitary sewer system.

Superintendent of Utilities means the Superintendent of Utilities of the City of Alexander City Utilities. Currently, these duties are carried out by the mayor of Alexander City. The Superintendent of Utilities may designate others to act on his/her behalf at his/her discretion.

Temporary Food Service Facility means a food service facility that has no permanent sewer connection and operates at the same location for a period of time not to exceed 14 days and must be in conjunction with a single event, such as a fair, carnival, circus, exhibition, or similar temporary gathering. Temporary food service facilities are not regulated by this program. It is expected that a Temporary Food Service Facility does not discharge to the sanitary sewer system without a specific permit from the Superintendent of Utilities.

User means the owner or operator of a food service facility that discharges wastewater into the sanitary sewer system.

GREASE CONTROL PROGRAM REQUIREMENTS

Permit Requirements for Food Service Facilities

Each Food Service Facility must apply for and obtain a Grease Control Program Permit to enable the inspection and monitoring of facilities which have the potential to discharge FOG to the sanitary sewer system. There will be a \$50.00 fee per facility for the permit and it must be renewed annually by the applicant. Business shall not be conducted without a current permit.

Existing FSFs must apply for a permit within 60 days of the effective date of this ordinance. The permit will contain a compliance schedule for the upgrades, if necessary, of existing grease control devices. The applicant will have, at most, one year from the date of permit issuance to complete the upgrades.

A re-inspection fee of \$100 for the first re-inspection and \$200 for the second and subsequent re-inspections shall be charged each time a facility fails a grease interceptor or trap inspection and must be re-inspected.

The Superintendent of Utilities will evaluate these fees annually and, if determined necessary, may request that the Alexander City Council adjust fees based on the cost of operation of the Grease Control Program.

The information contained in the Food Service Facility Grease Control Program Permit Application must be certified by the applicant as true and complete prior to submitting the application for review. Each grease interceptor or trap must be identified individually in the application by a unique identifier. The Superintendent of Utilities or his/her designee shall review completed applications for approval within 30 days of receipt.

Permit conditions may include, but are not limited to, the following:

- Permit duration
- Permit fee
- Permit is non-transferable (owner or location)
- Frequency of inspections
- Maintenance requirements
- Compliance schedule
- Requirements for retaining records,
- Statement of permission for the Superintendent of Utilities and other duly authorized employee of the City to enter upon the user's property without prior notification for the purpose of inspection, observation, photography, records examinations, records copying, measurement, and sampling or testing.
- Other conditions deemed by the Superintendent of Utilities necessary to ensure compliance with the intent of this program and other applicable ordinances, laws and regulations.

If a permit application is denied:

1. The Applicant will be advised in writing of the specific cause for the denial within sixty (60) calendar days of the decision to deny the permit application.
2. The Applicant who is denied a permit under this program shall have the right to appeal such denial to the Superintendent of Utilities. The appeal shall be filed within fifteen (15) business days of receipt of the notice of denial.

EXEMPTION FROM GREASE CONTROL PERMIT REQUIREMENT

Food Service Facilities which do not discharge FOG to the sanitary sewer system may file an application for exemption from permit requirement. Food Service Facilities which are granted an exemption from the permit requirement are subject to inspection by the city and are required to notify the city if changes are made which generate grease waste. The application for exemption requires a \$50.00 fee to cover the cost of initial inspection and processing the request. This is a onetime fee based on the exemption being granted. The exemption will be in effect until there is a change in food service operations. Upon being issued an exemption from the Grease Control Permit, the FSF may be inspected by the City periodically to confirm that the exempted services have not been altered.

REQUIREMENTS FOR BEST MANAGEMENT PRACTICES (BMPS) AND ASSOCIATED TRAINING

All Food Service Facilities shall develop, implement and follow Best Management Practices (BMPs) to minimize the discharge of FOG to the sanitary sewer system. At a minimum the applicable BMPs provided with the permit must be implemented. Employees must be trained on proper storage, handling and disposal of FOG as well as all BMPs. Such training must be documented and on file with other records.

REQUIREMENTS FOR GREASE CONTROL DEVICES

All FSFs that discharge FOG into the sanitary sewer system shall install, operate, and maintain properly sized grease interceptors or traps as indicated below. If the City has reason to believe that the specified system(s) below are not adequate, then the Superintendent of Utilities has the right to require the design and certification of a professional engineer.

New FSFs must have all devices installed and operating properly prior to beginning food service operations.

Existing FSFs must have all devices required as indicated below within no more than one year from the date of issuance of the permit or as dictated in the permit. The existing FSFs must apply for a permit within 60 days of the date of this ordinance. The permit will contain the schedule for complying with the conditions indicated below.

Grease Traps (Outdoor)

Grease traps shall have a capacity of not less than two 1,000-gallon traps installed in series for a total capacity of 2,000 gallons. Additionally, the furthest downstream discharge orifice of the tank(s) must be fitted with a commercial grease filter sized appropriately for the peak flow and installed according to manufacturer's specifications.

The Superintendent of Utilities may approve the use of a single 1,000-gallon trap where site conditions are completely prohibitive for the installation of two 1,000-gallon traps in series, or, for food service facilities having a seating capacity of 50 persons or less.

The grease trap shall intercept wastewater from areas in, around, or affected by food preparation from floor drains, sinks, dishwashers and/or other plumbing inlets and *must* be separately plumbed from any other sewer sources such that sanitary wastewater does not pass through the grease trap.

Grease Interceptors (Indoor)

The Superintendent of Utilities may approve the installation of one or more indoor grease interceptors provided the food service facility is not equipped with a commercial dishwasher and/or a food waste grinder.

Grease interceptors shall be sized in accordance with Plumbing and Drainage Institute Standard PDI-G101, Testing and Rating Procedure for Grease Interceptor with Appendix of Sizing and Installation Data.

The device should be designed such that it will not discharge any wastewater once the device is filled with FOG to its capacity.

Discharge of the following materials to an indoor grease interceptor is prohibited:

Wastewater with a temperature higher than 140 degrees Fahrenheit,
Wastewater discharged from a commercial dishwasher, Acidic or caustic

cleaners, and/or Wastewater discharged from a food waste grinder (disposal).

Alternative Grease Removal Technologies

The Superintendent of Utilities may approve the use of alternative grease removal technologies, e.g. skimmers, for controlling FOG discharge into the sanitary sewer system in lieu of a standard grease interceptor or trap if the Superintendent of Utilities, or his/her designee, determines the device employing such technology to be at least as effective as a standard grease interceptor or trap. The approved device shall be wired directly to a circuit breaker and shall contain audio and visual alarms that can only be reset by opening and servicing the device. In no case will an alternative grease removal solution be approved that involves chemical reduction of grease.

The burden for justifying the alternative technology is on the owner, who shall provide the following information to Superintendent of Utilities, or his/her designee, to evaluate the proposed technology:

A proposal that is specific to the Food Service Facility submitting the information, justifying in detail, how the alternative device is at least as protective as the standard devices described above. The Superintendent of Utilities will not consider a general or generic proposal.

- Complete technical information regarding the performance of the technology and proof of effectiveness in removing FOG from the waste stream.
- Specifications for maintenance service, and frequency.
- The manufacturer's installation and operation manuals.

If the alternative technology is approved, the User shall install and maintain the device in accordance with the manufacturer's installation and operation specifications. Maintenance shall be performed at least as often as stipulated in the permit, even if the manufacturer specifies less frequent maintenance.

Grease Control Device Sampling Vault

Most FSFs are not required to install a sampling vault initially, unless extenuating circumstances dictate the necessity for one from the beginning; however, a sampling vault may be required at any time by the Superintendent of Utilities based on issues or problems at the site.

MAINTENANCE REQUIREMENTS FOR GREASE INTERCEPTORS/TRAPS

The "25 Percent Rule" requires that the depth of oil and grease (floating and settled) in a trap shall be less than 25 percent of the total operating depth of the trap. The operating depth of a trap is determined by measuring the internal depth from the outlet water elevation to the bottom of the trap. Maintenance of outdoor grease traps shall be performed as frequently as necessary to protect the sanitary sewer system against the accumulation of FOG. Maintenance shall be

performed as determined by inspection and application of the "25 Percent Rule", or at intervals specified in the Permit, whichever is more frequent.

Maintenance of indoor grease interceptors shall be performed as frequently as necessary to protect the sanitary sewer system against the accumulation of FOG. Maintenance shall be performed as required by inspection and/or sampling or at intervals specified in the Permit, whichever is more frequent. In any case, maintenance must be performed at least every 14 days.

FSFs which operate infrequently or only for special events may request a modification to the maintenance schedule specified above. The Superintendent of Utilities may authorize a maintenance frequency related to the operation of the Food Service Facility. The user shall submit a request for a modified maintenance schedule which includes all details of operation for the Superintendent of Utilities for review.

The owner shall be responsible for the proper removal and disposal of the grease interceptor or trap waste. All waste removed from each grease interceptor or trap must be disposed of properly at an appropriate facility designed to receive grease interceptor or trap waste.

Maintenance shall include the complete removal of all grease from interceptors or trap contents including floatable materials, wastewater, sludge, and solids. Grease and scum shall be removed from interior walls, baffles, and filter. The filter must be removed for cleaning *only* while the contents in the trap are low so that grease cannot escape the tank into the sewer system.

The owner shall be responsible for retaining records of the maintenance of grease interceptors and traps including hauler manifests, permits, permit applications, correspondence, sampling data and any other documentation that may be requested by the Superintendent of Utilities or his designee. These records shall include the dates of service, volume of waste removed, waste hauler, and disposal site of waste. These records shall be kept on-site at the location of the grease trap for a period of three (3) years and are subject to review without prior notification.

COMPLIANCE WITH GREASE CONTROL PROGRAM

Compliance with the Grease Control Program shall be evaluated based on the following criteria:

1. Implementation of Best Management Practices [BMPs]
2. Grease control device(s) kept in compliance with the "25 Percent Rule"
3. Regularly scheduled maintenance of grease control device(s)
4. Documentation of maintenance and proper disposal, including manifests documenting hauling and disposal
5. Employee education and training including signage and training records
6. Current FSF Permit

PROHIBITIONS

The following activities are specifically prohibited:

1. Introduction of bacteriological, chemical, or enzymatic elements into the grease interceptor or trap or any element of the plumbing system is specifically prohibited.
2. Disposal of fryer oil to the sanitary sewer system is specifically prohibited.

GREASE HAULERS

All grease haulers shall be licensed by the Tallapoosa County Department of Health and hold a Septic Tank Haulers Permit.

Grease manifests shall accompany all grease interceptors and trap waste to the disposal site. The grease hauler shall complete the middle portion of the grease disposal manifest and deliver the manifest to the disposal site for completion and return to the FSF.

Grease trap maintenance shall include the following minimum services:

1. Complete removal of all grease interceptors or trap contents. Skimming or partial removal of the contents of the grease trap does not constitute adequate "maintenance"
2. Thorough cleaning of the grease interceptor or trap to remove grease and scum from inner walls and baffles
3. Cleaning of the filter must be completed while the grease trap is not discharging (i.e. while the contents are down).
4. Complete middle section of the grease disposal manifest form and dispose properly of the grease interceptor or trap waste.
5. Certification that all materials have been removed by hauler and owner (or owner designee).

Top skimming, decanting or back flushing of the grease interceptor or trap or its contents for the purpose of reducing the volume of waste to be hauled is prohibited. Vehicles capable of separating water from grease shall not discharge separated water into the grease trap or into the wastewater collection system.

INSPECTIONS BY ALEXANDER CITY SUPERINTENDENT OF UTILITIES AND/OR DESIGNEES

Grease interceptors and traps may be inspected at the discretion of the Superintendent of Utilities, or his designee. If a grease interceptor or trap fails an inspection, the inspector shall notify the User that maintenance must be performed on the grease interceptor or trap within seven (7) calendar days. The inspector will return after the seven-day period to re-inspect the grease interceptor or trap. The fee for the re-inspection shall be \$100 per grease interceptor or trap.

If the grease interceptor or trap is found to be in compliance, the inspection schedule may return to routine at the discretion of the inspector.

If the grease interceptor or trap fails the re-inspection, a notice of non-compliance shall be issued and maintenance must be performed on the grease interceptor or trap immediately. A second re-inspection will be scheduled within 24 hours. The User shall be assessed a fee of \$200 for each additional re-inspection until the FSF has satisfied the requirements of this ordinance.

Any grease interceptor or trap which receives three (3) notices of noncompliance within a 24 month period shall be deemed a nuisance by the Superintendent of Utilities and shall require corrective actions as determined by the Superintendent of Utilities to cure the nuisance, including, if deemed necessary, termination of all discharges to the sanitary sewer system.

The City of Alexander City, Alabama, reserves the right to require the FSF to contact the Superintendent of Utilities or his designee prior to the scheduled pumping maintenance by the Grease Hauler such that the inspector might observe the maintenance while it is being performed, at the inspector's discretion.

Any alternative technology grease removal device found in non-compliance shall be deemed a nuisance by the Superintendent of Utilities. If the user is unable to cure the nuisance, the installation of conventional devices at the expense of the owner may be required.

In the event of an overflow from a grease removal system, the owner must perform maintenance as necessary to discontinue the overflow within two (2) hours of being discovered. If not completed within two (2) hours of being discovered, the FSF must either:

1. Cease operation (and discharge) until such time that maintenance is performed, or
2. Have the maintenance performed by the City's wastewater department at a cost of \$700 per maintenance event.

SECTION 2: Penalty for Violation: Any person or entity (FSF) violating any provisions of this ordinance shall be penalized pursuant to the re-inspection fees as stated in Section 1, and continued non-compliance shall result in revocation of the FSF's Grease Control Permit, including the cessation of City water to the FSF.

SECTION 3: That any ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed and rescinded.

SECTION 4: That if any section, subsection, paragraph, or phase of this ordinance be declared invalid by the court of competent jurisdiction as pertaining to any particular application, it shall not affect the remaining portion of the ordinance or application to other provisions.

SECTION 5: That said ordinance shall be effective upon its adoption and publication as required by law.

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ADOPTED this

Robert Howard
President of the Council

APPROVED this

Charles R. Shaw, Sr.
Mayor

ATTEST:

Hauett C. Scott
City Clerk

CERTIFICATION OF CITY CLERK

The undersigned, as Clerk of the City of Alexander City, Alabama, hereby certifies that the foregoing is a correct and complete copy of Ordinance No. 2015-13 which was duly adopted this 21st day of May 2015.

WITNESS MY SIGNATURE, as Clerk of the City of Alexander City, Alabama, under the seal thereof, this 21st day of May 2015.

Hauett C. Scott
As City Clerk of the
City of Alexander City, Alabama

SEAL