

## **ORDINANCE NO. 1773**

AN ORDINANCE TO REGULATE THE DISPOSAL OF FATS, OIL AND GREASE BY FOOD SERVICE FACILITIES INTO THE SANITARY SEWER SYSTEM OF THE CITY OF TALLADEGA AND TO AMEND ORDINANCE NUMBER 1661 AND ORDINANCE NUMBER 1682.

BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALLADEGA, ALABAMA, AS FOLLOWS:

### **SECTION I. STATEMENT OF PURPOSE**

WHEREAS, the Talladega Water & Sewer Department (TWSD) is responsible for the collection, transportation and treatment of sanitary sewage in The City of Talladega, Alabama; and,

WHEREAS, when sanitary sewer lines are blocked, wastewater can back up until it overflows from sanitary sewer manholes or building plumbing fixtures into streets, storm drains, yards, creeks, and/or into buildings. These overflows are termed Sanitary Sewer Overflows (SSOs); and,

WHEREAS, SSOs violate the Clean Water Act and may endanger the health and welfare of the citizens of the City of Talladega; and,

WHEREAS, Investigations by the TWSD reveal that grease buildup is a major cause of dry weather SSOs in the City=s service area and many of these dry weather SSOs have been determined to be caused by Fats, Oils and Grease (FOG) from Food Service Facilities (FSFs). When grease is disposed of directly into the sewer system it cools, solidifies, and combines with other foreign materials in sewer lines and restricts flow through the pipe. In some cases, the grease completely blocks a sewer line;

NOW, THEREFORE, in an effort to reduce SSOs, the City is implementing this Grease Control Program for Food Service Facilities (FSFs). The purpose of this Program is to decrease the amount of FOG discharged into the sanitary sewer system and thereby reduce the number of dry weather SSOs.

It is the City=s intent that this program should be self-sustaining. To accomplish this, each existing FSF will be required to pay an annual permit fee. The installation of a new grease disposal system by a new FSF or by an existing FSF will require approval and inspection by the City of Talladega.

This ordinance shall be referred to as the ACity of Talladega Grease Control Program.@

### **SECTION II. DEFINITIONS**

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

1. **Alternative grease removal technology** means an automatically operated mechanical device specifically designed to remove grease from the waste stream.

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

3. **Council** means the City Council of the City of Talladega, Alabama.

4. **Department** means the Talladega Water & Sewer Department.

5. **FOG** means fats, oils, and grease.

6. **Food** means any raw, cooked, or processed edible substance, frozen beverage, or ingredient intended for human or animal consumption.

7. **Food Service Facility (FSF)** means any facility engaged in the preparation of food for human or animal consumption and/or serving of meals, lunches, dinners, 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, feed manufacturing facility and similar facilities by whatever named called.

8. **Fryer oil** means oil that is used and/or reused in fryers for the preparation of foods such as fried chicken and french fries.

9. **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.

10. **Grease Interceptor** means an indoor device located in a food service facility or under 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 wastewater collection 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.

11. **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.

12. **Maintenance** means the complete removal of all grease interceptor or grease trap contents including floatable materials, wastewater, sludges, and solids; cleaning and removal of grease and scum from the inner walls and baffles of the interceptor and grease trap; and filling the interceptor or grease trap with cold water potable water to complete the maintenance operation.

13. **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. Mobile food units shall not

discharged or dispose of any waste into the wastewater collection system of the City of Talladega.

14. **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 collection system.

15. **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 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. Temporary food service facilities shall not discharge or dispose of any waste into the wastewater collection system of the City.

16. **User** means the owner or operator of a food service facility that discharges wastewater into the City's sanitary sewer.

### **SECTION III. GREASE CONTROL PROGRAM REQUIREMENTS**

A. There shall be installed, provided and maintained in good working order at every Food Service Facility operating within the City of Talladega, Alabama, a grease interceptor or grease trap in the drainage and sewer discharge system of said facility.

B. The grease interceptor or grease trap shall be installed, maintained, permitted and inspected according to the requirements of this ordinance.

C. The Building Inspector of the City of Talladega shall supervise the installation of any new grease interceptor, grease trap or alternative form of grease removal technology, and upon final inspection and approval shall issue a Certificate of Approval.

D. The Building Inspector of the City of Talladega shall supervise the inspection of the installation of any new grease interceptor, grease trap or alternative form of grease removal technology, and upon final inspection and approval shall issue a Certificate of Approval.

D. The Construction Supervisor or his appointee of the Water and Sewer Department of the City of Talladega is responsible for the inspection of the installation, operation and maintenance of any grease interceptor, grease trap or alternative form of grease removal technology.

#### **E. Permit Requirements for Food Service Facilities**

1. Each Food Service Facility operating on the effective date of the adoption of this ordinance shall pay an annual fee to the Water and Sewer Department of the City of Talladega for the Talladega Grease Control Program. Each Food Service Facility operating within the City of Talladega shall have the proper number of grease interceptors or proper size of grease trap(s) for the amount of food prepared within the facility.

2. The annual permit fee for each applicant is as follows:

Number of Grease Interceptors or Grease Traps	Annual Fee
1 - 5	\$200.00
6 - 10	\$300.00
11 - 15	\$600.00
16 - 20	\$800.00

3. For each 5 additional grease interceptors or grease traps in excess of 20, the annual fee shall be increased by \$100.00.

4. A re-inspection fee of \$25.00 per grease interceptor or grease trap shall be charged each time a facility fails a grease interceptor or grease trap inspection and must be re-inspected.

5. Food Service Facilities providing proof of a current contract with a certified grease hauler and providing a Maintenance Log and Cleaning Manifest shall receive a fifty percent (50%) discount on their annual fee.

6. Each new Food Service Facility shall provide drawings to the City of Talladega City Planner indicating the proper size and number of grease interceptors or grease traps for the proposed Food Service Facility. Each grease interceptor and grease trap shall be identified individually on the drawing by a unique identifier. The Construction Supervisor of the Water and Sewer Department of the City of Talladega shall review and give approval of the drawings to the City Planner.

#### **F. Exemption from Grease Control Program**

1. Food Service Facilities that do not discharge FOG to the sanitary sewer system may file an application for exemption from The City of Talladega Grease Control Program. Food Service Facilities that are granted an exemption are subject to inspection by the Construction Supervisor of the Water and Sewer Department of the City of Talladega and are required to notify Construction Supervisor of the Water and Sewer Department of the City of Talladega of changes are made which generate grease waste. The exemption will be in effect until there is a change in food service operations or a change in facility ownership.

#### **G. Requirements for Best Management Practices (BMPs)**

1. All Food Service Facilities shall develop and implement Best Management Practices (BMPs) to minimize the discharge of FOG to the sanitary sewer system. A copy of the BMPs are to be given to each Food Service Facility. In any case, discharge of fryer oil into the City's sewer system is

prohibited.

Remainder of Section III as stated in Ordinance No. 1661 and the amendment Ordinance No. 1682 is unchanged except for the title "Director of Operations" is replaced with "Construction Supervisor."

**SECTION IV. SEVERABILITY**

Each section, subsection, paragraph, sentence and clause of this ordinance, is declared to be separable and severable. If any provisions, paragraph, word, section or article of this document is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words and clauses shall not be affected and shall continue in full force and effect.

**SECTION V. PENALTIES FOR VIOLATION**

Any person violating any of the terms, conditions or provisions of this Ordinance, shall, upon conviction, be punished by a fine of not more than \$1,000.00, or by imprisonment in the City Jail not to exceed 180 days, or both, at the discretion of the Court.

**SECTION VI. EFFECTIVE DATE**

This ordinance shall take effect immediately upon its passage and publication as provided by law.

ADOPTED and APPROVED this the 21<sup>st</sup> day of July, 2014

Councilman Joe Ballow

Councilman Ricky Simpson

Councilman Horace Patterson

Councilman Jarvis Elston

City Manager Brian Muenger

Attested:

Elizabeth Cheeks, City Clerk