

ORDINANCE NO. 1661

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 REPEAL ORDINANCE NUMBER 1044 AND ANY AMENDMENTS THERETO.

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 purchase an annual permit. The installation of a new grease disposal system by a new FSF or by an existing FSF will require an installation permit and an annual operating permit as hereinafter provided.

This ordinance shall be referred to as the "City 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.

6. **FOG** means fats, oils, and grease.
7. **Food** means any raw, cooked, or processed edible substance, frozen beverage, or ingredient intended for human or animal consumption.
8. **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.
9. **Fryer oil** means oil that is used and/or reused in fryers for the preparation of foods such as fried chicken and french fries.
10. **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.
11. **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.
12. **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.
13. **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.
14. **Mobile food unit** means a self propelled or vehicle mounted unit in tended 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.
15. **Permit** means written authorization to discharge to the City's wastewater collection system granted by the Director of Operations of the Water and Sewer Department of the City of Talladega to the Owner of a Food Service Facility or his/her authorized agent. Permit is also referred to as a Food Service Facility Grease Control Program Permit. Permits are nontransferable. A new Owner or operator of an existing FSF shall apply for and obtain a new Permit.
16. **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.
17. **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

### 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 Director of the Community Development Department of the City of Talladega is responsible for the issuance of an installation permit to any Food Service Facility that installs a grease interceptor, grease trap or alternative form of grease removal technology. The cost of the installation permit shall be \$300.00.
- D. The Director of the Community Development Department 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.
- E. The Director of Operations 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.

#### F. Permit Requirements for Food Service Facilities

1. Each Food Service Facility operating on the effective date of the adoption of this ordinance shall annually obtain a Grease Control Program Permit to be issued by the Director of Operations of the Water and Sewer Department of the City of Talladega. Prior to obtaining a Grease Control Program Permit from the Director of Operations of the Water and Sewer Department of the City of Talladega, a new Food Service Facility must obtain an installation permit from the Community Development Department (CDD) of the City of Talladega, furnish proper proof of approval of the installation by the CDD, and furnish proper proof that sewer impact fees have been paid (if applicable).

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

Number of Grease Interceptors or Grease Traps	Annual Fee
1 - 5	\$300.00
6 - 10	\$500.00
11 - 15	\$800.00
16 - 20	\$1,000.00

3. For each 5 additional grease interceptors or grease traps in excess of 20, the annual fee shall be increased by \$200.00.
4. A re-inspection fee of \$600.00 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. The Director of Operations of the Water and Sewer Department of the City of Talladega will evaluate these fees annually and make recommendations to adjust fees administratively based on the cost to the City for the operation of the Grease Control Program.

Water and Sewer Department of the City of Talladega.

7. Permit terms and conditions shall include, but are not limited to, the following:
  - (a) Permit duration,
  - (b) Permit fee,
  - (c) Permit is non-transferable,
  - (d) Frequency of inspections,
  - (e) Maintenance requirements,
  - (f) Compliance schedule,
  - (g) Requirements for retaining records,
  - (h) A description of Best Management Practices (BMPs),
  - (i) Statement of permission for the Director of Operations of the Water and Sewer Department of the City of Talladega and other duly authorized employees of the City to enter upon the User's property without prior notification for the purpose of inspection, observation, photography, records examination and copying, measurement, sampling or testing, and
  - (j) Other conditions deemed by the Director of Operations of the Water and Sewer Department of the City of Talladega necessary to ensure compliance with this program and other applicable ordinances, laws and regulations.
8. If a permit application is denied;
  - (a) The Applicant will be advised in writing of the specific cause for the denial within thirty (30) calendar days of the decision to deny the permit application.
  - (b) The Applicant who is denied a permit under this program shall have the right to take corrective action to satisfy the cause for denial and to resubmit an application to the Director of Operations of the Water and Sewer Department of the City of Talladega for reconsideration at no additional cost.
- G. Exemption from Grease Control Program Permit Requirement
  1. Food Service Facilities that do not discharge FOG to the sanitary sewer system may file an application for exemption from permit requirement. Food Service Facilities that are granted an exemption from the permit requirement are subject to inspection by the Director of Operations of the Water and Sewer Department of the City of Talladega and are required to notify Director of Operations of the Water and Sewer Department of the City of Talladega of changes are made which generate grease waste. The application for exemption requires a \$200.00 fee to cover the cost of initial inspection and processing the request. This is a one-time fee based on the exemption being granted. The exemption will be in effect until there is a change in food service operations or a change in facility ownership.

## I. Requirements for Grease Control Devices

1. All new Food Service Facilities that discharge FOG into the sanitary sewer system shall install, operate, and maintain properly sized grease interceptors or grease traps as indicated below. Existing FSFs may be required to modify existing grease control devices, or to install new or additional grease control devices, and operate, and maintain properly sized grease interceptors or grease traps as indicated below in the event an inspection by the Director of Operations of the Water and Sewer Department of the City of Talladega reveals that the existing control devices do not conform to the terms and conditions of this ordinance.

### 2. Grease Traps (Outdoor)

(a) Grease traps shall have a capacity of not less than two (2) 1,000 gallon traps installed in series for a total capacity of 2,000 gallons;

(b) The Director of Operations of the Water and Sewer Department of the City of Talladega may approve the use of a single 1,000 gallon trap where site conditions prevent the installation of two (2) 1,000 gallon traps in series; and

(c) The Director of Operations of the Water and Sewer Department of the City of Talladega may approve the use of a single 1,000 gallon trap for food service facilities having a seating capacity of 100 persons or less.

### 3. Grease Interceptors (Indoor)

(a) The Director of Operations of the Water and Sewer Department of the City of Talladega may approve the installation of one or more indoor grease interceptors provided the food service facility is not equipped with a dishwasher and/or a food waste grinder.

(b) 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.

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

- (i) Wastewater with a temperature higher than 140 degrees Fahrenheit,
- (ii) Wastewater discharged from a dishwasher,
- (iii) Acidic or caustic cleaners, and/or
- (iv) Wastewater discharged from a food waste grinder (disposal).

### 4. Alternative Grease Removal Technologies

(a) The Director of Operations of the Water and Sewer Department of the City of Talladega may approve the use of alternative grease removal technologies, e.g. skimmer, for controlling FOG discharge into the sanitary sewer system in lieu of a standard grease interceptor or grease trap if such proposal is submitted by a Sanitary Engineer registered in the State of Alabama and if the Director of Operations of the

the proposed technology:

- (i) A proposal that is specific to the Food Service Facility submitting the information. The Director of Operations of the Water and Sewer Department of the City of Talladega will not consider a general or generic proposal.
- (ii) Complete information regarding the performance of the technology and proof of effectiveness in removing FOG from the waste stream.
- (iii) Sanitary Engineer registered in the State of Alabama's drawings and specifications for maintenance service and frequency.
- (iv) The manufacturer's installation and operation manuals.
- (d) 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.

#### 5. Grease Control Device Sampling Vault

- (a) All Food Service Facilities may be required to provide a sampling vault to allow the Director of Operations of the Water and Sewer Department of the City of Talladega to collect random samples as deemed necessary.

#### J. Maintenance Requirements for Grease Interceptors and Grease traps

1. The 25 Percent Rule requires that the depth of oil and grease (floating and settled) in a grease trap shall be less than 25 percent of the total operating depth of the grease trap. The operating depth of a grease trap is determined by measuring the internal depth from the outlet water elevation to the bottom of the grease trap.
2. Maintenance of outdoor grease traps shall be performed by FSFs 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 shall be performed, at least, every 60 days.
3. Maintenance of indoor grease interceptors shall be performed by FSFs 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. Maintenance shall be performed, at least, every seven (7) days.
4. Food Service Facilities which operate infrequently or only for special events may request a modification to the maintenance schedule. The Director of Operations of the Water and Sewer Department of the City of Talladega may authorize a maintenance frequency related to the operation of the Food Service Facility if the User submits a request for a modified maintenance schedule which includes all details of operation for the Director of Operations of the Water and Sewer Department of the City of Talladega for review.

6. Maintenance shall include the complete removal of all grease interceptor or grease trap contents including floatable materials, wastewater, sludge, and solids. Grease and scum shall be removed from interior walls and baffles. Interceptor or grease trap must be filled with cold potable water after cleaning to complete maintenance operations. Grease interceptors and grease traps shall be operated in accordance with the manufacturer's specifications and/or in accordance with generally accepted engineering standards and practices.
7. The User shall be responsible for retaining records of the maintenance of grease interceptors and grease traps including manifests, permits, permit applications, correspondence, sampling data and any other documentation that may be requested by the Director of Operations of the Water and Sewer Department of the City of Talladega. These records shall include the dates of service, volume of waste removed, identity of the 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 by the Director of Operations of the Water and Sewer Department of the City of Talladega without prior notification.
8. Grease trap maintenance shall include the following minimum services:

- (a) Complete removal of all grease interceptor or grease trap contents rather than skimming the top grease layer,
- (b) Thorough cleaning of the grease interceptor or grease trap to remove grease and scum from inner walls and baffles,
- (c) Filling cleaned interceptor or grease trap with cold potable water, and
- (d) Completion of a grease disposal manifest form and delivery to waste disposal site along with the grease interceptor or grease trap waste.

#### K. Compliance with Grease Control Program

1. Compliance by Food Service Facility with the Grease Control Program shall be evaluated based on the following criteria:

- (a) Implementation of Best Management Practices (BMPs ),
- (b) Grease control device(s) kept in compliance with 25% Rule,
- (c) Regularly scheduled maintenance of grease control device(s),
- (d) Documentation of maintenance and proper disposal, and
- (e) Employee education and training

#### L. Prohibitions

1. The following activities are specifically prohibited:
  - (a) Introduction of bacteriological, chemical, or enzymatic elements into the grease interceptor or grease trap or any element of the plumbing system is specifically prohibited.

#### M. Grease Haulers

1. Any person engaged in the business of hauling waste fats, oil and/or grease ("grease hauler") shall be licensed by the Talladega County Department of Health and hold a Septic Tank Haulers Permit.
2. Grease trap waste shall not be combined with septic tank waste and transported to any disposal site as part of a mixed load.
3. Appropriate signed manifests shall accompany all grease interceptor and grease trap waste to the disposal site. The grease hauler shall forward a completed copy of the manifest, after disposal, to the FSF.
4. Top skimming, decanting or back flushing of the grease interceptor or grease trap or its contents for the purpose of reducing the volume of waste to be hauled is prohibited.
5. Vehicles capable of separating water from grease shall not discharge separated water into the grease trap or into the wastewater collection system.

#### N. Inspections of Grease Interceptors, Grease Traps and Grease Removal Device Employing Alternative Technology

1. Grease interceptors and grease traps shall be inspected a minimum of once a year by the Director of Operations of the Water and Sewer Department of the City of Talladega. Frequency of inspection may be increased in order to protect the sanitary sewer collection system against the accumulation of grease.
2. If a grease interceptor or grease trap fails an inspection, the Director of Operations of the Water and Sewer Department of the City of Talladega shall notify the User that maintenance must be performed on the grease interceptor or grease trap within seven (7) calendar days from the date of the notice. The Director of Operations of the Water and Sewer Department of the City of Talladega will return within fourteen (14) calendar days from the date of the notice to re-inspect the grease interceptor or grease trap. The fee for re-inspection shall be \$300.00 per grease interceptor or grease trap. If the grease interceptor or grease trap is found to be in compliance, the inspector shall schedule the next inspection within ninety (90) calendar days if it is an outside grease trap or within fourteen (14) days if it is an indoor grease interceptor.
3. If the grease interceptor or grease trap fails the re-inspection, a notice of non-compliance shall be issued and maintenance must be performed on the grease interceptor or grease trap immediately. A second re-inspection will be scheduled within 24 hours. The User shall be assessed a fee of \$300.00 for each re-inspection.
4. Any grease interceptor or grease trap that receives three (3) notices of noncompliance within a 24 month period shall be deemed a nuisance by the Director of Operations of the Water and Sewer Department of the City of Talladega and shall require corrective actions as determined by the Director of Operations of the Water and Sewer Department of the City of Talladega to alleviate the nuisance, including, if deemed necessary, termination of all discharges to the City of Talladega's sanitary sewer system and discontinuation of water service.
5. Any alternative technology grease removal device found in non-compliance shall be deemed a nuisance by the Director of Operations of the Water and Sewer Department of the City of Talladega.

#### O. Action Plan to Address Undersized Grease Interceptor and/or Grease Trap

1. If the Director of Operations of the Water and Sewer Department of the City of Talladega determines that an existing grease interceptor or grease trap has less capacity than is required, the User shall submit a detailed Action Plan within thirty (30) days of being so notified. The Action Plan shall clearly identify the method that will be used to address the undersized grease interceptor or grease trap. Options to address the undersized grease interceptor or grease trap include the following:

(a) Option 1 — Install a grease interceptor or grease trap of proper size and install a sampling vault. The Action Plan shall identify the location and size of the existing grease interceptor or grease trap, the location and size of the proposed grease interceptor or grease trap and sampling vault, and the date by which the proposed grease interceptor or grease trap will be in service. The Director of Operations of the Water and Sewer Department of the City of Talladega will review the proposed location, size and installation schedule and either approve the Action Plan or request modifications and re-submittal of the Action Plan.

(b) Option 2 — Install one or more additional grease interceptors or grease traps in series with the existing interceptor or grease trap to provide the required capacity and install a sampling vault. The Action Plan shall identify the location and size of the existing grease interceptor or grease trap, the location and size of the proposed grease interceptor or grease trap and the sampling vault, and the date by which the proposed grease interceptor or grease trap and sampling vault will be in service. The Director of Operations of the Water and Sewer Department of the City of Talladega will review the proposed location, size and installation schedule and either approve the Action Plan or request modifications and re-submittal of the Action Plan.

(c) Option 3 — Install a grease removal device employing alternative technology. The device can be a stand-alone device or may be used in combination with a conventional passive grease interceptor or grease trap. The Action Plan shall be submitted by a Sanitary Engineer registered in the State of Alabama and include manufacturer's information on the specific device to be installed with the drawings of a Sanitary Engineer registered in the State of Alabama showing the Food Service Facility plumbing, the proposed location of the device, and the location of the sampling vault. The Director of Operations of the Water and Sewer Department of the City of Talladega will review the proposed device and installation schedule and either approve the Action Plan or request modifications and re-submittal of the Action Plan.

#### P. Alteration of Control Methods

1. The Director of Operations of the Water and Sewer Department of the City of Talladega may request additional control measures if the measures undertaken are shown to be insufficient to protect the City's sewer system and treatment facilities from interference due to the discharge of fats, oils or grease.

#### Section IV. SEVERABILITY

A. 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

**Section VI. REPEALER**

A. Upon the effective date of this Ordinance, Ordinance Number 1044 and any amendments thereto are hereby repealed.

**Section VII. EFFECTIVE DATE**

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

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Member of Council

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Member of Council

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Member of Council

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Member of Council

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Member of Council

APPROVED this 21st day of September, 2009.

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City Manager

APPROVED and ATTESTED this 21st day of September, 2009.

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City Clerk