

## ORDINANCE 2020-09

### **AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING LAKE WALES CODE OF ORDINANCES CHAPTER 21 UTILITIES, AMENDING THE FAT'S, OIL'S AND GREASE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ENACTED** by the City Commission of the City of Lake Wales, Polk County, Florida:

**SECTION 1.** Chapter 21, UTILITIES, Lake Wales Code of Ordinances is amended as shown in the highlighted areas below (strike throughs are deletions; underlines are additions):

#### **§ 21-52. Interceptors required.**

Grease interceptors are not required for every residence. However, one (1) or more grease interceptors are required where grease waste is produced in quantities that could otherwise cause line stoppage or hinder sewage disposal.

(1) *Fat, oil and grease (F.O.G.) interceptors required.* Users who operate restaurants, cafes, lunch counters, take-outs, cafeterias, bars, clubs, or hotel, hospital, factory or school kitchens or other establishments that serve or prepare food where F.O.G. may be introduced to the sewer system shall have a F.O.G. interceptor.

Take-out food establishments or other establishments that prepare food but do not cook in oil or grease and who serve food only in disposable containers may utilize alternative interceptors as approved by the public works director or his/her designee, provided their discharges will not violate any discharge prohibitions of this section. F.O.G. interceptors may also be required in non-cooking or cold dairy and frozen foodstuff establishments when they are deemed necessary by the public works director or his/her designee.

Establishments that do not generate sufficient flow to warrant a grease interceptor shall be authorized, at the discretion of the public works director or his/her designee, to install an alternative grease prevention measure.

(2) *Oil and sand interceptors required.* Users who operate automatic and coin operated laundries, car washes, filling stations, commercial garages or similar businesses having any type of washing facilities or grease racks and any other users producing grit, sand, oils or other materials in levels prohibited by 62-302 Florida Administrative Code Rule, (grease and oils one hundred (100) mg/L) which may have the potential of causing partial or complete obstruction of the building sewer or other areas in the sewer system shall install interceptors approved by the public works director or his/her designee.

(3) *Location of interceptors.* Where a grease interceptor is required, kitchen wastewater shall first pass through the interceptor and then be discharged into the sewer system. All interceptors shall be located outside the building in such a manner that personnel from city utilities division can inspect the interceptors at any time.

(4) *Size of interceptors.* All interceptors shall be sized to ensure that the city's sewer system is protected from excessive F.O.G., sand and oil which may cause clogging or damage and that the user is capable of meeting all discharge requirements. F.O.G. interceptors shall be based on chapter 10 of the Florida Building Code, as amended. Sizing of grease interceptors shall be based on the equations as set forth below. The minimum volume of any grease interceptor shall be seven hundred and fifty (750) gallons and the maximum volume of a single grease interceptor is greater than one thousand two hundred and fifty (1,250) gallons, installation of grease receptors in series is required.

Restaurants:  $(S) \times (GS) \times (HR/12) \times (LP) =$  effective capacity of grease interceptor in gallons, where:

S = number of seats in the dining area.

GS = gallons of wastewater per seat (use twenty-five (25) gallons for ordinary restaurant, use ten (10) gallons for single service ordinance restaurants).

HR = number of hours' establishment is open.

LP = loading factor: use one and a quarter (1.25) for interstate highways, one (1.00) for freeways, one (1.00) for recreational areas, 0.80 for main highways, and 0.50 for other highways.

Other type establishments with commercial kitchens:  $(M) \times (GM) \times (LF) =$  effective capacity of grease interceptor in gallons, where:

M = meals prepared per day.

GM = gallons of water used per meal (use five (5) gallons).

LF = loading factor (use 1.00 with dishwashing and 0.50 without dishwashing).

(5) *Sampling port.* A sampling port shall be installed in an approved location to allow sampling by the utility and the user. The sample port shall be located between the interceptor and the discharge point to the sewer system.

(6) *Access manholes.* An access manhole must have a minimum diameter of twenty-four (24) inches and shall be provided over each chamber and sanitary tee. The access manholes shall extend at least to the finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall have readily removable covers to facilitate inspection and cleaning.

(7) *Plans required.* The following must be submitted to the city utilities division for review and approval prior to installation of an interceptor:

- a. Site plans showing the location of the interceptor, lines, clean out or manhole and sample port;
- b. Details of the interceptor, lines, clean out or manhole and sample port; and
- c. Formula and calculation used to determine the interceptor capacity.

*Note:* No non-grease-laden sources are allowed to be connected to sewer lines intended for grease, oil and sand separators.

(8) *Existing interceptors.* All interceptors currently in use or in existence at the time of this division will be considered sized sufficiently provided they meet all discharge requirements as stated in this division. All new interceptors or interceptors to replace or upgrade existing interceptors will be required to meet all criteria stated in this division. Existing interceptors that are currently undersized (less than seven hundred and fifty (750) gallons) may be required to pump out more frequently than ninety (90) days. These establishments will be required to comply within five (5) years of the effective date of this division.

(9) *Inspections.* The director of the city utilities department or his or her designee shall have the authority to inspect at a reasonable time (nominally within six (6) months unless circumstances dictate more frequent inspections are required), those food service, food processing, or other commercial establishments which may produce grease and which are connected to a city sewer system to ensure that said establishments have installed and are properly maintaining an adequate grease interceptor on all waste lines. When upon inspection the

interceptor, the total depth of the floating grease layer plus the settle-able solids layer cannot exceed 25% of the total liquid depth of the interceptor or the establishment exceeds discharge compliance levels, the utilities director or his/her designee can require a grease pump out. Upon completion of an on-site inspection or analytical results of sampling indicate a violation of this subsection, the public works director or his/her designee may issue a "notice of violation" to the user or representative to document any discrepancies, noncompliance, special instructions or other guidance identified during the on-site inspection. Fines may be levied for failing to respond in a timely manner to a notice of violation or order for corrective action. Fines may be issued and not exceed five hundred dollars (\$500.00)/day/violation.

When upon inspection, the total depth of the floating grease layer plus the settle-able solids layer cannot exceed 25% of the total liquid depth of the interceptor or the establishment exceeds discharge compliance levels, the director can require a grease pump out. Upon completion of an on-site inspection or analytical results of sampling indicate a violation of this subsection, the director may issue a "notice of violation" to the user or representative to document any discrepancies, noncompliance, special instructions or other guidance identified during the on-site inspection.

*(10) Maintenance.*

- a. All records pertaining to the maintenance of an interceptor shall be retained by the user for a period of not less than three (3) years and available to city utilities department upon request.
- b. Every F.O.G. interceptor shall be cleaned every ninety (90) days or sooner, if needed. An exemption may be granted to the ninety (90) day minimum requirement if the user can establish that such maintenance schedule is not necessary.

Additional Maintenance Requirements

- a. All users shall maintain any Fats, Oils, and Grease (FOG) recovery system so that the discharges there from are in compliance with all applicable laws, rules, and regulations.
- b. All non-automobile services facility FOG traps, and all other non-automobile service facility FOG recovery systems, shall have all floating material removed per a schedule determined by the Director or his/her representative. All non-automobile service facility FOG traps, and all other non-automobile service facility FOG recovery systems, shall be completely pumped out annually or when the contents thereof exceed the 25% Rule. All automobile service facility FOG traps, and all other automobile service facility FOG recovery systems shall be completely pumped out annual or when the contents thereof exceed the 25% Rule. Routine maintenance, annual maintenance and maintenance due to exceeding the 25% Rule shall include the complete recovery of all contents, including floating materials, wastewater and bottom sludge and solids. The frequency of maintenance may be increased to comply with the applicable daily maximum discharge limit(s), the manufacturer's recommendation of the 25% rule. The frequency shall be as often as necessary to prevent overflows of FOG from entering the Utility's wastewater collection system.
- c. The Pump-and-Return Method of decanting or discharging of removed waste or wastewater back into the FOG recovery system is prohibited.
- d. Removal of floating material from a FOG trap less than or equal to 50 gallons may be performed by the owner of the FOG production facility, provided said floating material is properly disposed of in accordance with all applicable laws and the following procedure. Any removal and hauling of FOG-

~~as a result of the complete pumping of a FOG trap and all other FOG recovery systems, shall be performed by a professional liquid hauler.~~

1. FOG device maintenance must be performed on a schedule determined by a number of factors. Contact the administrator of the FOG program for the required frequency.
2. Small generators with traps with "less than" <50 gallons may have floatables removed by the owner. However, 100% professional cleaning is required by a licensed special waste hauler annually at a minimum in those instances.
3. Manifest must be entered by "self-cleaners" and contractors on FOGBMP website within 5 days of service being performed.
4. Self-cleaning customers and licensed special waste haulers can register online through FOGBMP.com at no cost.

Any removal and hauling of FOG as a result of the complete pumping of a FOG trap and all other FOG recovery systems, shall be performed by a professional liquid hauler.

- e. If any FOG recovery system discharge wastes fail to meet the applicable daily maximum limit(s) the Director or his/her representative is authorized to require that the user to repair, replace or upgrade its FOG recovery system, at the sole expense of the user.
- f. No user may place an additive of any type in the FOG trap or FOG recovery system without the prior written approval of the Director.

(11) Maintenance Records. Each user, at each FOG producing facility, shall maintain an accurate and complete record of all cleaning(s) or maintenance of its FOG producing facility's FOG recovery system, and shall file electronic copies of same with the Utilities Department per current procedures. Submissions will be made either weekly, monthly, quarterly, semi-annually, or annually, based on the service schedule. The following records shall be kept on-site at the FOG producing facility for a minimum two (2) year period.

- a. Haulers. The hauler shall provide the FOG producing facility manager, at the time of service, a manifest conforming to all Federal and State statutes and regulations, and provisions of this Code.
- b. Manifest(s). The removal of FOG recovery system contents shall be recorded on a manifest that identifies the pumping, hauling and disposing of the wastes, and whether collected from an interior or an exterior FOG recovery system.
- c. Manifest Information. Each manifest shall contain the following information as may be required by State Statute:
  - i. User information, including name, address, the volume pumped from each FOG recovery system, and date and time of the pumping;
  - ii. Hauler information, including company name, address, state license/permit number and disposal/receiving facility location information; and
  - iii. Receiving facility information, including the facility name and address, date and time of receiving, and EPD number.
  - iv. A certification that the FOG trap or FOG recovery system was in working order.
  - v. A certification that the maintenance requirements, as set forth in subsection (D)(3) above, are

being complied with by the user relative to the FOG trap or FOG recovery system.

d. Manifest/Maintenance Log. The owner(s) of each FOG producing facility shall maintain, and keep available on the premises, a continuous log of manifests, FOG maintenance reports (and other similar record(s) regarding each cleaning or maintenance of the FOG recovery system for the previous twenty-four (24) months. The log shall be kept on the FOG producing facility premises in a location where the log is available for inspection or review by the Director, or his/her designated agent(s) or representative(s).

e. Manifest/Maintenance Log Filing. The liquid waste hauler shall file manifests to the Utility or designee after each service. FOG devices equal to or less than 50 gallon manifests may be submitted by the FOG producing facility's owner or representative. All submissions must be electronic and fees may be associated with each submission.

(12) Repairs. Any repair that is required in regard to a FOG trap or FOG recovery system shall be made by the user within thirty (30) days of the user receiving notice of the need for a repair from either the hauler, the Director, or the Utility's representative.

(a) *Alternative treatments.* The use of any free-enzyme, chemical, or other products designed to emulsify, liquefy or further render grease soluble for the purpose of clearing drains or circumventing the design of the interceptor is prohibited. All products claiming biological activity must be approved by the public works director or his/her designee. Approval for this or any other treatment does not relieve the user of properly maintaining the interceptor as to prevent discharge violations to city sewer system.

Failure to comply with this section, shall be subject to the user being faced with the appropriate enforcement, fines, and procedures as set forth in this section. Additionally, if any person fails to comply with this section and said failure results in damage to the city's system, the city shall be entitled to recover the cost of repair of the system from said person and any fines or penalties assessed against the city as a result of such failure.

*Sample collection.*

a. Except as indicated in paragraph b., below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Director may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.

b. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

(Ord. No. 96-06, § 1, 5-21-96; Ord. No. 2013-07, § 1, 5-7-13; Ord. No. 2017-22, § 1, 12-19-17 ;)

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(13) *Maintenance.*

c. All records pertaining to the maintenance of an interceptor shall be retained by the user for a period of not less than three (3) years and available to city utilities department upon request.

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