

# CITY OF CARLTON

## ORDINANCE #181

### ORDINANCE ESTABLISHING STANDARDS FOR FATS, OILS AND GREASE REDUCTION

#### **SECTION 1: Authority and Purpose.**

This Ordinance establishes standards for the reduction of fats, oils and grease by requiring proper grease interceptor design, installation, maintenance, reporting and the enforcement of penalties for failure to comply. This Ordinance will protect the health, welfare and safety of the public and the environment by requiring provisions for the reduction of fats, oils and grease, minimizing the impact on the Wastewater Collection and Transmission System.

#### **SECTION 2: Definitions.**

- 2.1 “*Customer*” means any entity which discharges wastewater to the City wastewater conveyance system.
- 2.2 “*Fats, Oils and Grease*” (FOG) means material, either liquid or solid, composed primarily of fat, oil and grease from animal, vegetable or mineral sources.
- 2.3 “*Food Service Facility*” includes the following types of establishments: Full service restaurants, fast food establishments, delicatessens, cafeterias, school cafeterias, church kitchen, hospitals and medical facilities, boarding houses, clubhouses, adult daycare facilities, assisted living facilities, convalescent homes, meat distributors and processing facilities, food processing facilities, grocery stores with food preparation/service areas, bakeries, caterers and or other similar types of operations with commercial kitchen equipment.
- 2.4 “*Grease Interceptor*” means a device designed to capture fats, oils and grease prior to discharge to a sanitary sewer. Also termed grease traps or grease recovery devices.
- 2.5 “*City*” means the City of Carlton, Minnesota.

#### **SECTION 3: Fats, Oils and Grease Reduction Requirements.**

- 3.1 **Requirements.** The installation or upgrade, and maintenance, of grease control equipment at both new and existing FOG generating facilities must meet the following requirements:
  - A. Grease Interceptors must be installed at all new FOG generating facilities.
  - B. Existing FOG generating facilities must install an approved, properly operated and maintained Grease Interceptor when any of the following conditions exist:

- i. If the City determines the discharge of grease from the facility to the sewer has or is creating restrictions in the public sewer or is causing additional sewer maintenance costs.
    - ii. Issuance of a building permit from the City that authorizes remodeling in a change in operations as defined in Section 2.
  - C. Grease Interceptors must be of adequate size and efficiency and at a minimum shall be sized and installed in accordance with the State of Minnesota Administrative Rules, Chapter 4715, Plumbing Code and all applicable municipal plumbing codes.
  - D. Grease Interceptors shall be installed in the waste line leading from the sinks, drains or other fixtures where grease may be introduced, and must be readily accessible for cleaning and inspection.
  - E. FOG generating facilities must maintain records for all Grease Interceptor cleaning and maintenance activities in a format approved by the City and have such records available for inspection.
  - F. FOG generating facilities must regularly clean and maintain the Grease Interceptor and properly dispose of captured material.
    - i. Each facility must maintain records of the dates and means of disposal.
    - ii. Any removal and hauling of the captured materials not performed by the owner's personnel must be performed in compliance with all applicable laws and regulations by a licensed waste disposal contractor.
- 3.2 Variance. The City may grant a variance or conditional waiver from the minimum requirements in Section 3.1 if the FOG generating facility demonstrates to the satisfaction of the municipality that any FOG discharge is negligible and will have an insignificant impact on the sewer system. At a minimum, the following conditions apply:
  - A. The FOG generating facility must demonstrate that the discharge from its activities contains less than 100 mg/l of FOG.
  - B. The sampling and testing to demonstrate the concentration of grease in the discharge must be conducted, at the facilities expense, by an independent testing organization in accordance with acceptable industry standards.
- 3.3 The City will perform periodic and random FOG equipment inspections, including scheduled inspections of known problem areas. Records of the inspections shall be maintained by the City. An authorized agent of the City or employee of the City may at all reasonable hours, enter any private premises for the purpose of inspecting sewer system connections, plumbing, Grease

Interceptors and appurtenances to assure compliance with this or other applicable laws, regulations and ordinances.

**Section 4: Penalties**

- 4.1. Any person found in violation of any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by penalty established in Minnesota law for a misdemeanor as may be amended from time to time. Any person convicted of a violation of this ordinance shall be required to pay the reasonable costs of prosecution.
- 4.2. The City may in its discretion, seek any civil remedies available to it including remedies at law, in equity or other relief. In the event that civil remedy is pursued, the City may seek reimbursement of any and all costs, disbursements, witness or other fees, as well as reasonable attorney's fees expended by the City in order to enforce this Ordinance.
- 4.3. Other Remedies. Each right or remedy accruing to the City under this Ordinance or at law is separate and distinct and may, at the City's discretion, be exercised independently or simultaneously with any other right or remedy.

**Section 5: Record Retention**

Records required to be maintained under Section 3.1 shall be retained for a minimum of seven years from the date of creation of the record. Records include written, photographic, recorded, electronic, or stored data of any kind.

**SECTION 6: EFFECTIVE DATE.**

This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Carlton City Council this 12th day of April 2011.

CITY OF CARLTON

*Leola Rodd*

Leola Rodd, Mayor

ATTEST:

*Claudine Van Guilder*

Claudine Van Guilder, City Administrator

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