

The following Ordinance offered and adopted:

ORDINANCE NO. 57 OF 2018

AN ORDINANCE REPEALING ORDINANCE NUMER 153 OF 1994 AND REPLACING WITH REVISED ORDINANCE AUTHORIZING THE CITY OF BOSSIER CITY, LOUISIANA, DEPARTMENT OF PUBLIC UTILITIES, ENVIRONMENTAL AFFAIRS DIVISION, TO PREVENT THE INTRODUCTION OF EXCESSIVE AMOUNTS OF FATS, OIL AND GREASE (FOG) INTO THE CITY'S PUBLICLY OWNED TREATMENT WORKS (POTW) WHICH INCLUDES THE SEWER COLLECTION LINES, SEWER LIFT STATIONS AND THE WASTEWATER TREATMENT FACILITIES.

WHEREAS, the City of Bossier City provides and maintains facilities for the collection, conveyance, and treatment of domestic wastewater to promote the health, safety and convenience of its people and the safeguarding of a water source common to all; and

WHEREAS, to prevent illegal discharge and/or dumping of excessive amounts of Fats, Oil and Grease into the sewer collection system of the City of Bossier City, Louisiana; and

WHEREAS, it is the obligation of food service establishments to prevent excessive quantities of fats, oil and grease from entering the POTW System; and

WHEREAS, it shall be mandatory that the effluent from food service establishments meet and adhere to certain limitations as set forth by the City of Bossier City, Louisiana, Code of Ordinances, Section 28-83; and

WHEREAS, food service establishments shall obtain permits to maintain traps and interceptors in good working order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bossier City, Louisiana, in regular session convened, adopt an Ordinance titled, Grease Trap Control Ordinance as follows:

SECTION 1. GENERAL PROVISIONS

1.1 Purpose and Policy:

This Ordinance sets forth uniform requirements for controlling the discharge and routine maintenance of grease traps, and grease interceptors.

The objectives of this Ordinance are:

- (a) to prevent the introduction of excessive amounts of FOG into the POTW system which may interfere with the operation of the POTW system or contaminate the resulting sludge.
- (b) to allow for the normal flow of sewage in the POTW system and prevent blockages of the City's POTW system causing sewer backup and flooding of residential and commercial buildings resulting in monetary liability to the City of Bossier City.
- (c) to provide the City of Bossier City with the authority to recover the cost incurred in cleaning and maintaining the POTW system and disposing of the FOG waste, and any liability incurred by damages resulting from the flooding of residential and/or commercial buildings.
- (d) to prevent over spillage and/or dripping of used cooking oil or grease onto the ground from storage containers causing blockages to stormwater inlets resulting in stormwater contamination, malodorous and noxious odors and violations of the Clean Water Act with regards to storm water regulations imposed on the City of Bossier City.
- (e) to provide the City of Bossier City, Louisiana, with authority to collect fines, and permit fees for the monitoring of food service establishments discharging high strength FOG wastewater as described in Ordinance No. 88 of 1992.
- (f) to establish a permitting program for regulating grease interceptors and grease traps.
- (g) to require all food service establishments to submit to the City of Bossier City a completed waste manifest for the proper pumping and disposal of FOG waste in accordance with Federal, State and local regulations.

1.2 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have meanings hereinafter designated:

- (a) "Controlling Authority" shall refer to the City of Bossier City, Louisiana.
- (b) "Fats, Oil and Grease" (FOG) shall mean organic compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances may solidify or become viscous at temperatures between thirty-two (32) degrees Fahrenheit and one hundred fifty (150) degrees Fahrenheit (0 degrees-65 degrees Celsius). Commonly these substances are byproducts generated by the practice of cooking or preparing food. They are also found in such food substances as salad dressings, sauces and marinades, and baking oils and butter products.
- (c) "Food Service Establishment" shall mean those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption by the public such as a restaurant, commercial kitchen, caterer, hotel, school, hospital, prison, correctional facility, and care institution. These establishments use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.

- (d) “Grease Interceptor” shall mean a device designed and installed so as to separate and retain deleterious, hazardous, or undesirable matter from normal waste and permit normal sewage or liquid wastes to discharge into the collection system by gravity.
- (e) “Grease trap or Trap” shall mean a small reservoir built into the wastewater piping a short distance from the grease producing area.
- (f) “Grab Sample” shall mean a sample, which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- (g) “POTW” shall mean Publicly Owned Treatment Works.
- (h) “Manifest” shall mean the written, multi-part documentation detailing the generator of the grease trap or interceptor waste, and identifying the transporter and the disposal facility for the waste.
- (i) “Used Cooking Oil Storage Container” shall mean a tank with no plumbing to the sanitary sewer system, or storm water drains, designed for holding spent fry grease which must be picked up and hauled off-site for proper disposal or recycling.
- (j) “User” shall mean any person, including those located outside the jurisdictional limits of the City of Bossier City, who contributes, causes or permits the contribution or discharge of wastewater into the sewers within the city’s boundaries, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.

SECTION 2. FATS, OIL AND GREASE DISCHARGE PROHIBITIONS

- 2.1 no food service establishment shall introduce or cause to be introduced into the POTW system any wastewater containing pollutants, grease or spent cooking oil, which may cause pass through or interference. Furthermore, no User or food service establishment may contribute the following substance to the POTW system:
- (a) no discharge of fats, oil and grease in concentration greater than 100 mg/l that will cause an obstruction to the flow in a sewer, or pass through or interfere with the POTW operations.
 - (b) no discharge of improperly shredded garbage, animal guts or tissues, paunch manure, bones, hide, hair, fleshings, or entrails.
 - (c) no discharge wastewater with temperatures in excess of 150 F to any grease interceptor, or grease trap.
 - (d) no discharge of waste from food waste disposal units to any grease interceptor or grease trap.
 - (e) no discharge of caustics, acids, solvents, or other emulsifying agents shall be introduced to any grease interceptor, or grease trap including floor drains connected to said traps.
 - (f) no outdoor cleaning of equipment, floor mats or any type filter screens in an area where wastewater can flow to a gutter, storm drain or street.
 - (g) no outdoor power washing of parking lot or any other impervious surface using acids, caustics, soaps, detergents, or any type of emulsifying agent that would leach, flow, drain or otherwise discharge into any ditch, storm drain, street, or gutter which would contaminate any state waterway.

SECTION 3. GREASE TRAP AND GREASE INTERCEPTOR CONSTRUCTION REQUIREMENTS

3.1 Grease Trap or Interceptor Size and Installation Approval:

Grease interceptors or grease traps shall be provided when, in the opinion of the City's plumbing inspector, they are necessary for the proper handling of liquid waste containing fats, oils and grease, flammable waste, sand, solids or other ingredients harmful to the POTW system. The plumbing inspector shall calculate the proper size and approve the installation of the grease interceptor and/or grease trap prior to discharge to the POTW system.

3.2 Grease Interceptor or Grease Trap Location:

Grease interceptors or grease traps shall be installed at a location where it shall be easily accessible for inspection, cleaning, and removal of intercepted fats, oil and grease. The grease interceptor or grease trap may not be installed in any part of the building where food is handled. Location of the grease interceptor or grease trap must meet the approval of the city's plumbing inspector.

SECTION 4. GREASE INTERCEPTOR AND GREASE TRAP MAINTENANCE

4.1 Maintenance:

It shall be the responsibility of all food service establishments to properly maintain their grease interceptor and/or grease trap in an effective operating condition at all times and at their expense. Failure to properly maintain interceptor and/or grease trap in an effective operating condition may result in the Utility Director or Designee issuing a written notice to the food service establishment to immediately notify their grease pumping company to have the grease interceptor or grease trap pumped out completely of its contents and washed out within time period specified by the Utility Director or Designee. Grease interceptors and grease traps shall be free of any accumulated grease cap and sludge pocket as required by the city. Grease interceptors and grease traps shall be kept free of inorganic solid materials such as grit, sand, rocks, gravel, eating utensils, cigarettes, shells, towels, rags, etc. which could settle into this pocket and thereby reduce the effective volume of the device.

4.2 Grease Interceptor or Grease Trap Pumping Frequency:

Individual permits or any other type of control mechanism used shall establish the frequency of cleaning grease interceptors or grease trap waste. The cleaning of the grease interceptor or grease trap shall include the complete pump out of the contents of the grease interceptor or grease trap. Decanting of the supernate back into the grease interceptor or grease trap will not be allowed. Discharging of the grease interceptor or grease trap waste back into any part of the POTW system or any privately owned sewer collection system is prohibited.

SECTION 5. PERMITS

5.1 General Procedure:

All food service establishments that may potentially introduce FOG into the POTW system are required to obtain a grease interceptor or grease trap control permit application. It is unlawful for any food service establishment to knowingly discharge fats, oil and grease waste in amounts that cause, or may cause, obstruction to the flow in the POTW system resulting in interference. False or misleading information on an application may result in the denial of the permit application, revocation of the permit if it has been issued, and/or the termination of water and sewer service, in addition to other penalties as provided in this Ordinance.

5.2 Permit Issuance and Duration:

When an application has been reviewed and approved by the Utility Director or Designee according to all rules in this Ordinance, and all appropriate fees have been paid, a permit will be issued for a period of not more than three years from the date of approval. The permit holder shall apply for renewal of the permit at least 60 days prior to the permit's expiration date. A permit may be terminated at any time when the Utility Director or Designee finds that the permit holder has violated the conditions of the permit.

5.3 Permit Modification:

The terms and conditions of the Grease Trap or Interceptor Discharge Control Permit is subject to modification by the controlling authority during the term of the permit as limitations or requirements are identified or modified, or other just cause exists.

5.5 Permit Fees:

Permit fees shall be established to recover the cost incurred by the City of Bossier City in permitting all food service establishments. The annual cost for each permit shall be set at One Hundred Forty Dollars (\$140.00).

5.6 Transfer:

Permits are provided to individual food service establishments. No permit may be reassigned, sold, or transferred. In the event of the transfer of ownership of a food service establishment, a new permit application and permit shall be required.

5.7 Duty to comply:

All food service establishments shall take the necessary steps to minimize or correct any adverse impact to the POTW system or the environment resulting from noncompliance with the permit issued, including, but not limited to accelerated or additional monitoring as necessary to determine the nature and impact of the noncompliance.

5.8 Permit exemption:

The following establishments shall be exempt:

- (a) any establishment that operates for a maximum duration of seven (7) days in connection with an annual event, such as a fair, carnival, circus, public exhibition or other public gathering,
- (b) any establishment that sells or serves prepackaged or precooked foods that would require warming only or served without additional processing or cooking in a manner in which washing is not required, so as not to introduce grease or grit into the POTW system,
- (c) any establishment serving only snow cones, drinks or ice cream products,
- (d) any grocery or convenience stores without food preparation, meat cutting or packaging, delicatessens or bakeries, or,
- (e) any daycare centers which primarily serve microwave dishes, using single service items, served in a manner in which washing is not required, so as not to introduce grease or grit into the POTW system.

SECTION 6. REPORTING REQUIREMENTS

6.1 Manifest Requirements:

It shall be the responsibility of the owner of any food service establishment to provide a complete copy of a grease interceptor or grease trap waste manifest to the city.

Each individual permit or other type of control mechanism shall establish the due date for the submittal of a waste manifest. Minimum information required on each waste manifest shall include:

- (a) name and address of person or company pumping and transporting grease trap waste.
- (b) number of gallons pumped from the grease trap.
- (c) name and address of person or company receiving grease trap waste.
- (d) date(s) showing when grease trap was pumped and delivered to final disposal site.
- (e) waste manifest and/or transporter number.
- (f) signatures food service establishments, pumper/haulers, and the person receiving the waste.

Failure to submit waste manifest within the time period described by permit shall be a direct violation of this Ordinance.

SECTION 7. MONITORING

Representatives of the City of Bossier City may sample and inspect a food service establishment's site at any reasonable time. It shall be unlawful for any food service establishment to refuse to allow the city to enter the food service establishment's premises during business hours to determine whether the food service establishment is complying with all requirements of this Ordinance. The food service establishment shall allow access to all parts of the premises for the purpose of inspection, sampling, records examination, copying and the performance of all other duties. If evidence shows the grease interceptor or grease trap is not in compliance with this Ordinance, or if the food service establishment has not submitted a manifest or other document(s) as required by this Ordinance, the food service establishment will be in violation of this Ordinance and shall be subject to enforcement actions.

SECTION 8. ENFORCEMENT

8.1 Written Notice:

The Utility Director or Designee shall issue a written Notice of Violation and/or a pumping/ Maintenance Order to a User for:

- (a) Failure to properly maintain (clean-out or pump) the grease interceptor or trap in accordance with the provisions of this Ordinance;
- (b) Contributing to a FOG related sewer overflow or potential FOG related sewer overflow if the facility's grease interceptor or trap is out of compliance with this Ordinance upon investigation of the incident;
- (c) Failure to provide access to the facility for inspections, pumping logs, and records, or access to oil and grease management devices for sludge measurements and sampling, by an authorized city employee;
- (d) Failure to timely obtain or renew a Grease Interceptor or Grease Trap Control Permit,
- (e) Failure to pay required permit fee,
- (f) Failure to correct a previous violation by an established deadline.

8.2 Fines:

The Utility Director or Designee may issue a fine to any food service establishment for any violation of this Ordinance and/or permit requirements. Any food service establishment that is found to have violated this Ordinance will be fined not less than five hundred dollars (\$500.00) for each offense. Each day, or portion thereof, in which a violation occurs or is permitted to continue is a separate and distinct offense and will be fined accordingly.

8.3 Failure to pay fines:

Failure to pay a fine or fines for any violation(s) cited under this Ordinance shall be grounds for termination of water services until such time as full compliance has been achieved. The Utility Director or Designee shall issue a written notice informing the User of the date on which water services will be terminated.

8.4 Cost of Repair:

If the city determines that a User is responsible for a sewer system blockage, overflow, or mechanical failure, the User shall be issued a written Notice of Significant Noncompliance and charged a fine of five hundred dollars (\$500.00) plus repair cost including any environmental cost such as but not limited to; pumping and removing of fats, oil and grease, treatment and final disposal cost of waste.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Don Williams and seconded by Mr. Jeffery Darby, and adopted on the 19th, day of June, 2018, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Jeffery D. Darby, President

Phyllis McGraw, City Clerk