

**TOWN OF VALDESE  
FAT, OILS AND GREASE CONTROL ORDINANCE**

**Section 1 - Purpose**

The purpose of this ordinance is to aid in the prevention of sanitary sewer blockages and obstructions from the accumulation of fats, oils and grease in the town's sewer system.

**Section 2- Definitions**

**Fats, Oils and Grease:** Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules.

**Food Service Establishment:** Any commercial, industrial or institutional facility discharging kitchen or food preparation wastewater including, but not limited to, the following: restaurants, motels, hotels, cafeterias, hospitals, schools, nightclubs, delicatessen, meat cutting-preparation, bakeries, bagel shops, grocery stores, gas stations, and any other facility that the Pretreatment Director determines to be in need of a grease interceptor by virtue of its operation.

**Grease Interceptor:** A device used to effect the separation of fats, oils and grease in wastewater effluent which prevents the discharge of fats, oils and grease in excess of 300 milligrams per liter (mg/l) concentration, or has been found by the Pretreatment Director to prevent the discharge of fats, oils and grease in quantities sufficient to cause POTW line stoppages or necessitate increased maintenance of the POTW in order to keep line stoppages from occurring. An interceptor may be of the "outdoor" or underground type normally of a 1,000-gallon capacity or more, or "under-the-counter" package unit, which is typically less than 100-gallon capacity. For the purpose of this definition, the terms "grease interceptor", "interceptor" and "grease trap" are used interchangeably.

**Inspector:** The Pretreatment Director and persons acting under the Pretreatment Director's direction who are investigating compliance with this ordinance.

**Operator:** The operator of a Food Service Establishment.

**Owner:** An individual, person, firm, company, association, society, corporation, or other entity upon whose property the building or structure containing the Food Service Establishment is located or will be constructed. "Owner" shall also include the owner of a Food Service Establishment which is leasing the building, structure, or a portion thereof containing the Food Service Establishment.

**Plumbing Code:** The current edition of the North Carolina Plumbing Code.

**POTW (Publicly Owned Treatment Works):** The treatment works as defined by Section 212 of The Federal Water Pollution Control Act, also known as the Clean Water Act, (33 U.S.C. 1292), which is owned by the Town of Valdese. This definition includes any devices or systems used in the collection, storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid or solid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to the POTW treatment plant. For the purposes of this resolution, "POTW" shall also include any sewers that convey

wastewater to the POTW from persons outside the Town who are, by contract or agreement with the Town, or in any other way, users of the POTW.

**Pretreatment Director:** The Pretreatment Director of the Town of Valdese, or his authorized representative(s).

**Town:** The Town of Valdese, North Carolina, or any duly authorized agent(s) or official(s) acting on its behalf.

**Waste:** Liquid and water-carried wastes, whether treated or untreated. The terms "sewage" and "wastewater" shall be deemed to be waste by definition.

**Section 3- Grease Interceptors Required**

Food Service Establishments shall discharge all waste from sinks, dishwashers, drains and any other fixtures through which fats, oils and grease may be discharged into a properly maintained and functioning grease interceptor.

**Section 4- Compliance Date**

(a) Operators of existing Food Service Establishments which are not equipped with a grease interceptor which is in compliance with the requirements of this ordinance shall install a grease interceptor within six (6) months of the effective date of this ordinance.

(b) New Food Service Establishments shall be equipped with a grease interceptor prior to commencement of discharge to the POTW.

(c) Any requests for extensions of time for installing a grease interceptor must be made in writing to the Pretreatment Director at least thirty (30) days in advance of the compliance date. The written request shall include the reasons for the operator's failure or inability to comply with the applicable compliance date, the amount of additional time needed to complete the remaining work, and the steps to be taken to avoid future delays. The Pretreatment Director shall determine whether to grant an extension and the date for compliance.

**Section 5- Discharge Criteria**

The following prohibitions shall apply to Food Service Establishments:

(a) Where fats, oils and grease are byproducts of food preparation and/or cleanup, reasonable efforts shall be made to separate waste fats, oils and grease into a separate container for proper disposal. Except as contained in byproducts of food preparation and/or clean up, waste fats, oils and grease shall not be discharged to any drains or grease interceptors. Such waste shall be placed in a container designed to hold such waste and either used by industry or disposed of at a suitable location.

(b) The influent to interceptors shall not exceed 140 degrees Fahrenheit (140° F). The temperature at the interceptor's flow control device inspection port shall be considered equivalent to the temperature of the influent.

- (c) Toilets, urinals, and other similar fixtures shall not discharge through a grease interceptor.
- (d) Waste shall enter the grease interceptor only through the inlet flow control device, then the inlet pipe.
- (e) Where food-waste grinders are installed, the waste from those units shall discharge directly into the building drainage system without passing through a grease interceptor.

**Section 6- Service/Inspection Ports and Monitoring Ports**

(a) Except for under the sink grease interceptors, each interceptor shall be located outside of a building or structure in an area accessible for service, and so installed and connected that it shall be at all times easily accessible for inspection and for cleaning and removal of the intercepted waste. Inlet flow control inspection ports, interceptor inspection ports and effluent monitoring ports shall be in areas where vehicles may not temporarily block access for inspection. Interceptors shall be deemed to be inaccessible if the use of ladders or the removal of bulky equipment or stored materials as required to inspect inlet flow control devices, inspect or service interceptors, or sample interceptor effluent. Inspection ports and monitoring ports shall be located so as to allow inspectors quick and easy access to the inlet flow control device, each compartment of the interceptor, and the effluent from the interceptor. An interceptor shall not be installed in any part of a building where food is handled. The location of all interceptors, inspection ports, and monitoring ports must be approved by the Pretreatment Director.

(b) An inspection port shall be provided for the flow control device regulating flow into the interceptor.

(c) A one-piece removable metal plate covering the entire interceptor shall be preferred as an interceptor inspection port although, in the discretion of the Pretreatment Director, standard manhole ports may be installed over each divider in the interceptor, but in either case all parts of the interceptor shall be easily accessible for cleaning and visual inspection.

(d) A monitoring port shall be provided for ease in sampling the effluent from the interceptor and shall be as close as possible to the connection with the town POTW within the bounds of the facility property. The port shall be installed and maintained at the operator's expense. The operator shall properly place, monitor, and maintain the monitoring port so that wastewater samples taken from the monitoring port are representative of wastewater leaving the interceptor. It shall be unlawful for an operator to divert sewage around a monitoring point into the POTW.

**Section 7- Under the Sink Grease Interceptors**

(a) If an outside grease interceptor is not practical, an under the sink grease interceptor may be installed subject to the approval of the Pretreatment Director. In addition to the general requirements for grease interceptors as provided in this ordinance, under the sink grease interceptors shall be subject to the following additional requirements.

(b) Under the sink interceptor requirements.

1. Under the sink interceptors shall be located within twenty-five (25) feet of the wastewater source and as close to the wastewater source as is reasonably possible.
2. The lid shall be secured to the body with a single bolt. No wing nuts or screws shall be permitted.
3. Baffle systems and all other internal pieces shall be removable to facilitate cleaning and replacement, but must be in place at all other times.
4. The lid shall cover the deep seal interceptor. The deep seal interceptor shall be constructed so as to eliminate the possibility of sewer gas entering the kitchen area.
5. The interceptors shall be constructed with bottom supports so that the body of the interceptor does not corrode by coming into contact with the floor.
6. The interceptor shall be coated with a powder coated electrostatically applied cathodic epoxy coating so as to be resistant to corrosion.
7. The interceptor shall be equipped with a flow control fitting.

(c) Installation requirements.

1. The interceptor may be set on the floor, partially recessed in the floor with top flush with the floor, or fully recessed below the floor to suit piping and structural conditions, as acceptable to the Pretreatment Director.
2. There shall be sufficient clearance for the removal of the interceptor cover for cleaning.
3. Unless specifically approved by the Pretreatment Director, runs of pipe exceeding 25 feet between fixture and interceptor shall not be permitted.
4. The interceptor shall not be installed in a waste line from a garbage grinder. Any garbage grinder waste shall bypass the interceptor.
5. A suitable flow control fitting shall be installed ahead of the interceptor in the waste line beyond the fixture and as close as possible to the underside of the lowest fixture. When wastes of two or more sinks or fixtures are combined to be used by one interceptor, a single flow control fitting shall be used.
6. Air intake for flow control either shall terminate under the sink drain board as high as possible to prevent overflow, or shall terminate in a return bend at the same height and on the outside of the building.
7. To retain water and prevent siphoning, all interceptors must be a vented and sized in accordance with the applicable plumbing codes.
8. With the approval of Pretreatment Director, one interceptor may be used to serve multiple fixtures if the fixtures are located close together and the interceptor is sized to meet the combined flow of all the fixtures.

**Section 8- Interceptor Maintenance**

(a) Required Cleaning Frequency

1. Unless otherwise specified by the Pretreatment Director, each interceptor in active use shall be cleaned at least once every six (6) months or more frequently as needed to prevent the discharge of fats, oils and grease in excess of 300 mg/l into the POTW. The Pretreatment Director may specify cleaning more frequently when pumping every

six (6) months is shown to be inadequate. Additional pumping may be required during time periods when increased loading is anticipated.

2. If the inspector determines that the interceptor is full, immediate steps shall be taken by the operator to pump out and clean the interceptor as soon as is practicable. The Pretreatment Director shall make an evaluation of the advisability of allowing discharge to continue, and may at his discretion order an immediate cessation of all discharge from the Food Service Establishment.

(b) Notice of Cleaning.

Every operator shall, within ten (10) days of each cleaning of an interceptor located on the operator's premises, notify the Pretreatment Director in writing that the interceptor has been cleaned. The notice of cleaning shall include the date of the cleaning, the identity of the hauler, the site to which the contents of the interceptor were hauled and such other information as the Pretreatment Director may reasonably require. The operator shall submit with each notice of cleaning an invoice, manifest or other similar document from the hauler evidencing the cleaning of the interceptor. The operator shall also submit such other documentation relating to the cleaning of the interceptor as the Pretreatment Director may reasonably require.

(c) Cleaning Procedures

1. The operator or an employee of the operator shall supervise the interceptor cleaning. Such person shall be present during and observe the entire cleaning operation.
2. An operator shall cause the licensed waste hauler, transporter, or any other person cleaning or servicing an interceptor to completely evacuate all contents, including floating materials, wastewater, and bottom sludges and solids during servicing. Skimming the surface layer of waste material, partial cleaning of the interceptor or using any method that does not remove the entire contents of the collection device is prohibited. The suction of the floating materials shall be done prior to removal of other contents. After complete evacuation, the walls, top, and bottom of the interceptor shall be thoroughly scraped and the residue removed.
3. It shall be unlawful for an operator to allow the decanting or discharging of removed waste back into the interceptor from which the waste was removed or into any other interceptor.
4. When cleaned, the interceptor shall be fully evacuated unless the interceptor volume is greater than the tank capacity on the vacuum truck in which case the transporter shall arrange for additional transportation capacity so that the interceptor is fully evacuated within a twenty four (24) hour period following the transporter's inability to fully evacuate the interceptor.

(d) Disposal of Interceptor Pumpage.

All waste removed from each interceptor shall be disposed of at a facility permitted and authorized to receive such waste in accordance with all applicable Federal, State, and local regulations. Fats, oils and grease removed from an interceptor shall not be recycled so as to become a food product or part of a food product for animal or human consumption. The operator shall be responsible for assuring that the waste is disposed of in accordance with all Federal, State and local disposal regulations.

(e) Vacuum Truck Cleaning Service

It shall be unlawful for an operator to allow grease interceptor waste to be removed from its premises by a transporter which does not have all applicable Federal, State and local permits or registrations.

**Section 9- Grease Interceptor Treatment Products**

(a) Use of grease interceptor treatment products, including bacteria designed to digest fats, oils and grease, is specifically prohibited without prior written consent of the Pretreatment Director.

(b) The Pretreatment Director may revoke permission to use such products where the effluent from the interceptor or basin in which the product is used fails to meet the requirements of this ordinance.

**Section 10- Monitoring, Inspection and Entry**

It shall be unlawful for the operator of a Food Service Establishment to refuse to allow inspectors to enter its premises during reasonable hours to determine whether the operator is complying with all of the requirements of this ordinance. The operator shall allow the inspectors access to all parts of the premises for purposes of inspection, sampling, records examination and copying, and the performance of additional duties reasonably required to enforce this ordinance.

**Section 11- Prohibited Discharges**

No person shall discharge fats, oils and grease into the POTW in excess of 300 mg/l.

**Section 12- Enforcement**

(a) A violation of any of the provision of this ordinance shall subject the offender to a civil penalties as set forth in the attached schedule of penalties. Penalties shall be assessed on a calendar year basis. If the offender fails to pay this penalty within fifteen calendar days after being cited for a violation, the penalty may be recovered by the town in a civil action in the nature of a debt.

(b) This ordinance may also be enforced by any appropriate equitable action, including injunctions or orders of abatement.

(c) The town may enforce this ordinance by any one of or any combination of the foregoing remedies.

(d) The remedies provided above are not exclusive and do not prohibit the Town from using any other remedy provided by law.

## Fats, Oils and Grease Ordinance Schedule of Penalties

### A. Minor Violations

<b>2<sup>nd</sup> Offense</b>	
Failure to submit records:	\$ 50
Inspection hindrance (equipment related):	\$ 50
Failure to pump FOG & submit records:	\$ 50

<b>3<sup>rd</sup> Offense</b>	
Failure to submit records	\$ 100
Inspection hindrance (equipment related)	\$ 100
Failure to pump FOG & submit reports	\$ 300

<b>4<sup>th</sup> Offense</b>	
Failure to submit records:	\$ 150
Inspection hindrance (equipment related):	\$ 150
Failure to pump FOB & submit records	\$ 300

<b>5<sup>th</sup> Offense &amp; Up</b>	
Failure to submit records:	\$ 300
Inspection hindrance (equipment related):	\$ 300
Failure to pump FOG & submit records:	\$ 1000

### B. Intermediate Violations

Failure to maintain necessary equipment (Sanitary T's, FOG interceptor not watertight, baffles, etc.)	
<b>1<sup>st</sup> Offense</b>	\$ 150
<b>2<sup>nd</sup> Offense</b>	\$ 300
<b>3<sup>rd</sup> Offense</b>	\$ 500
<b>4<sup>th</sup> Offense &amp; Up</b>	\$ 1000

### C. Major Violation (Sewer Blockage)

Failure to obtain permit	Water cutoff
Source of sewer blockage (minimum)	\$ 500
Source of sanitary sewer overflow (minimum)	\$ 1000
Falsification of maintenance records	\$ 1000
Cost of repairs	No limit

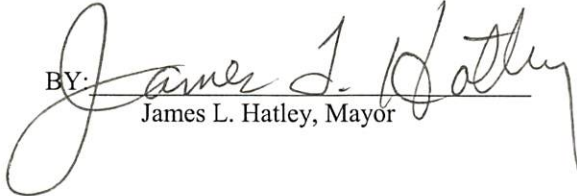
**Section 13- Severability**

If any part or parts of this ordinance shall be held to be invalid, such invalidity shall not affect the remaining parts of this ordinance.

ADOPTED this the 1<sup>st</sup> day of August, 2005.

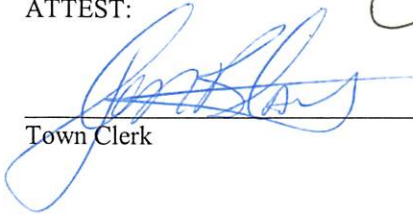
TOWN OF VALDESE

BY:



James L. Hatley, Mayor

ATTEST:



Town Clerk