

ORDINANCE 26-2008-09

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE RELATIVE REGULATION OF FOOD SERVICE ESTABLISHMENTS' INSTALLATION AND MAINTENANCE OF GREASE CONTROL EQUIPMENT

*WHEREAS*, the Clarksville Gas and Water Department has determined that the improper disposal of fats, oils and grease (FOG) is a major cause of sanitary sewer overflows in the sewer collection system; and

*WHEREAS*, the Tennessee Department of Environment and Conservations, Division of Water Pollution Control, has advised the City of Clarksville to develop and enforce a grease management program with grease control measures to ensure that grease accumulations are not restricting the capacity of the wastewater collection and transmission system and to prevent overflows; and

*WHEREAS*, it is essential to protect the public from the possibility of contamination or pollution by the reduction and/or elimination of sanitary sewer overflows from grease related problems; and

*WHEREAS*, the FOG program requirements for food service establishments, commercial facilities, and industrial facilities will prevent FOG related sewer system overflows and reduce the operational costs of the City of Clarksville; and

*WHEREAS*, it is necessary to provide a continuing program for the management and education of grease control issues.

*NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the Official Code of the City of Clarksville, Tennessee, Title 13, "Utilities and Service," is hereby amended by adding the following language as Chapter 8, "Grease Management for Food Service Establishments:"

Section 13-801 Purpose

This ordinance sets forth requirements to aid in the prevention of sanitary sewer blockages, obstructions, and overflows due to the contribution and accumulation of fats, oils, and greases into said sewer system from commercial, industrial and institutional food service establishments. The objective is to reduce or eliminate sanitary sewer

overflows onto streets, waterways, and onto residential and commercial properties and buildings that could result in liabilities to the City.

#### Section 13-802. Definitions

1. Black Water: Wastewater containing human waste, from sanitary fixtures such as toilets and urinals.
2. Brown Grease: Fats, oils and grease that is discharged to the grease control equipment.
3. City: shall mean the City of Clarksville, Tennessee, the Mayor, the City Engineer, the General Manager of the Gas and Water Department, the Grease Management Coordinator, Wastewater Division Manager, the pretreatment coordinator, the Wastewater Treatment Plant Superintendent, the Wastewater Collection System Supervisor, the Sewer Lift Station Supervisor or their duly authorized representatives.
4. FOG (fats, oils, & grease): Organic polar compounds derived from animal and/or plant sources. FOG may be referred to as “grease” or “greases” in this Chapter.
5. Food Service Establishment (FSE): Any establishment, business or facility engaged in preparing, serving or making food available for consumption. Single family residences are not a FSE, however, multi-residential facilities may be considered a FSE at the discretion of the City. Food Service Establishments will be classified as follows:

Class 1: Deli – engaged in the sale of cold cut and microwaved sandwiches/subs with no frying or grilling on site, Ice Cream shops and beverage bars as defined by NAICS 72213, Mobile Food Vendors as defined by NAICS 722330

Class 2: Limited-Service Restaurants (a.k.a. Fast Food Facilities, Daycares) as defined by NAICS 722211 and Caterers as defined by NAICS 722320

Class 3: Full Service Restaurants as defined by NAICS 722110

Class 4: Buffet and Cafeteria Facilities as defined by NAICS 72212

Class 5: Institutions (Schools, Hospitals, Prisons, etc) as defined by NAICS 722310 but not to exclude self-run operations.

6. Gray Water: Refers to all other wastewater other than black water as defined in this Chapter.
7. Grease Control Equipment (GCE): A device for separating and retaining wastewater FOG prior to wastewater exiting the FSE and entering the City’s sewer system. The GCE is so constructed as to separate and trap or hold fats, oils

and grease substances from entering the City's sewer system. Devices include grease interceptors, grease traps, or other devices approved by the City.

8. Grease Interceptor: Grease Control Equipment identified as a large tank, usually 1,000 gallon to 3,000-gallon capacity, which provides FOG control for a FSE. Grease interceptors will be located outside the FSE, unless a variance request has been granted.
9. Grease Management Coordinator: person employed by the Clarksville Gas and Water Department who is charged with the responsibility of administering the provisions of the grease management program to ensure compliance by users with applicable laws, rules, regulations, policies and ordinances.
10. Grease Trap: Grease Control Equipment identified as an "under the sink" trap, a small container with baffles, or a floor trap. For a FSE approved to install a grease trap, the minimum size requirement is the equivalent of a 20-gallon per minute/40 pound capacity trap. All grease traps will have flow control restrictor and venting.
11. Grease Recycle Container: Container used for the storage of yellow grease.
12. NAICS - North American Industry Classification System.
13. Series: (Grease Interceptors Installed in Series): Grease interceptor tanks are installed one after another in a row and are connected by plumbing pipe.
14. Tee or T (Influent & Effluent): A T-shaped pipe extending from the ground surface below grade into the grease interceptor to a depth allowing recovery (discharge) of the water layer located under the layer of FOG. Influent & Effluent T's are recommended to be made of PVC or equivalent material, and extend to within 12" to 15" of the bottom of the interceptor.
15. User: A customer operating a food service establishment and discharging to the sanitary sewer system.
16. Yellow Grease: Fats, oils and grease that has not been in contact or contaminated from other sources (water, wastewater, solid waste, etc...) and can be recycled. Yellow grease is normally stored in a grease recycle container or bin for beneficial reuse.

#### Section 13-503 General Requirements

1. All existing Food Service Establishments (FSEs) are required to have grease control equipment (GCE) installed, maintained and operating properly, in accordance with this FOG Ordinance.

2. All FSEs will be required to maintain records of cleaning and maintenance of GCE. GCE maintenance records include, at a minimum, the date of cleaning/maintenance, company or person conducting the cleaning/maintenance, volume (in gallons) of grease wastewater removed and final disposal location. A grease waste hauler completed manifest, that includes all the minimum information mentioned above, will meet this requirement.
3. GCE maintenance records will be available at the FSE premises so they can be provided to the City and/or the Health Department. The FSE shall maintain GCE maintenance records for three (3) years.
4. No FSE will discharge oil and grease in concentrations that exceed the City of Clarksville's numerical limit for oil and grease.
5. Owners of Commercial Property will be held responsible for wastewater discharges from a leaseholder on their property.
6. Grease Control Equipment Certification Requirement:

All establishments with grease control equipment must have their grease interceptor or grease trap inspected and certified annually by a City "certified" grease waste hauler or plumber. If a grease interceptor or grease trap "Passes" the certification requirement, then no further action is required. If a grease interceptor or grease trap "Fails" the certification requirement, then a corrective action response is required from the FSE owner or authorized representative to the City. Completed certification forms {Grease Interceptor Certification (Form A) or Grease Trap Certification (Form B)} must be completed and signed by the grease waste hauler or plumber, as well as the FSE owner or authorized representative, and submitted to the City. The original certification form must be submitted to:

Clarksville Gas & Water Department  
Attn: FOG Program  
1030 Pumping Station Road  
Clarksville, TN 37040

7. Failure of a Grease Interceptor Certification, or Grease Trap Certification: The FSE owner or authorized representative is responsible for including detailed "Corrective Action Response" information on the Grease Interceptor Certification form, or the Grease Trap Certification form that is submitted to the City. If necessary, additional pages may be attached to the certification form. At a minimum, the "Corrective Action Response" information must include the reason for the failed certification, what corrective action will be taken to correct the problem, and the date the corrective action will be completed.

8. FSEs shall observe Best Management Practices (BMPs) for controlling the discharge of FOG from their facility. Examples of BMPs include:
  - A. Recycle waste cooking oil; dispose in Grease Recycle Bin or Container. DO NOT pour any grease into sinks, floor drains or mop sinks.
  - B. Post “NO GREASE” signs above all kitchen sinks to remind employees.
  - C. “Dry Wipe” and scrape into a trash container as much food particles and grease residue from pots, pans, and plates as possible.
  - D. Use Strainers in sink drains and floor drains to prevent large food particles and containers from going into the sewer line.
  - E. If an oil or grease spill occurs, clean up using “dry” oil absorbent material or use ice to make grease solidify. Scoop up and dispose into a trash container. DO NOT wash oil or grease into drains!
  - F. Dispose of food items in the trash. Food grinder use is discouraged due to build up of solids in the GCE which causes decreased efficiency and need to increase pumping frequency of the GCE.
  - G. Educate and train all employees on grease control and preventing sewer pipe clogs and sewer overflows.
9. FSEs shall dispose of yellow grease in an approved container, or recycle container, and the contents shall not be discharged to any sanitary sewer line, storm water grate, drain or conveyance. Yellow grease, or oils, poured or discharged into the FSE sewer lines or City’s sewer system is a violation of this FOG Ordinance.
10. It shall be a violation of this FOG Ordinance to push or flush the non-water portion of GCE into the public sewer.

#### Section 13-804 Approved Grease Waste Haulers

To ensure proper maintenance of grease control equipment and proper disposal of the FOG waste, the City will maintain an “Approved Grease Waste Haulers List”. Criteria for the grease waste hauler to be placed on the “Approved Grease Waste Haulers List” include, but are not limited to, the following:

- A. Submittal to the City of a completed “Clarksville Gas and Water Department Approved Grease Waste Hauler Agreement Form” as developed by the City, signed by an authorized representative of the grease waste hauler company.
- B. The grease waste hauler agreement will include grease waste hauler reporting requirements to the City as developed by the City, and making records available

to the City for inspection. Failure to meet any of the grease waste hauler agreement requirements will result in removal of the grease waste hauler from the “Approved Grease Waste Haulers List”, and/or other enforcement action authorized by this Chapter or general law.

- C. The grease waste hauler employees that will be completing the food service establishment grease control equipment certification forms must attend a Clarksville Gas and Water Department Grease Control Equipment Certification Class, and pass the GCE class test; or the City may allow grease waste hauler employees to provide proof of passing a GCE certification class at Metro Water Services, Nashville, TN by submittal of a copy of a certification card.

### Section 13-805 Grease Control Equipment Requirements

1. Any new FSE, existing FSE, upgrading of an existing FSE, or change of ownership of existing FSE will be required to install and maintain a grease interceptor. Food service establishments in one of these categories must submit a FOG plan to the City for approval. The FOG plan must include identification of all cooking and food preparation equipment (i.e. fryers, grills, woks, etc...); the number and size of dishwashers, sinks, floor drains, and other plumbing fixtures; type of FSE classification; type of food to be served; and plans for the grease interceptor dimensions and location. The City will provide a Grease Control Inquiry Form that can be submitted by the FSE or their representative. The City will review the FOG plan, grease interceptor sizing and approve, or make changes as necessary, to aid in the prevention of a FOG discharge from the FSE and protection of the City wastewater system.
2. New construction of FSEs shall have separate sanitary (restroom) and kitchen process lines. The kitchen process lines shall be plumbed to appropriately sized GCE. No sanitary wastewater or stormwater shall be plumbed to the GCE.
3. All of the FSEs internal plumbing shall be constructed to separate sanitary (restroom) flow from kitchen process flow. Sanitary flow and kitchen process discharges shall be approved separately by the City and shall discharge from the building separately. Kitchen process lines and sanitary lines may combine prior to entering the public sewer; however the lines cannot be combined until after the GCE.
4. A grease interceptors or grease traps will be installed and connected so that it may be easily accessible for inspection, cleaning and removal of grease at any time.
5. Existing Food Service Establishments are required to meet the FOG Ordinance requirements by July 31, 2009.

### Section 13-806 New Multi-Unit (Strip Mall) Facilities

1. New strip malls or strip centers must have two separate sewer line connections at each unit within the strip mall or strip center. One sewer line will be for sanitary wastewater and one sewer line will be for the kitchen area, or potential kitchen area, of each unit. The kitchen area, or potential kitchen area, sewer line will be connected to floor drains in the specified kitchen area, and will connect, or be able to connect, to other food service establishment kitchen fixtures, such as a 3 compartment sink, a 2 compartment sink, a pre-rinse sink, a mop sink and/or a hand wash sink.
2. Owners of a new multi-unit facility, or new “strip mall” facility, owners shall contact the City prior to conducting private plumbing work at the multi-unit facility site. Multi-unit facility owners, or their designated contractor, shall have plans for separate private wastewater lines for kitchen and sanitary wastewater for each “individual” unit. In addition, the plans shall identify “stub-out” locations to accommodate a minimum 1,000-gallon grease interceptor for each unit of the multi-unit facility
3. FSEs located in a new multi-unit facility shall have a minimum of a 1,000 gallon grease interceptor installed, unless that FSE is identified as a Class 1 facility. Sanitary wastewater, or black water, shall not be connected to GCE.

### Section 13-807 Variance to Grease Interceptor Installation

At the discretion of the Grease Management Coordinator, a FSE may receive a variance from the required installation of a grease interceptor. Variances will be limited to existing FSEs that have unusual physical location circumstances that will prevent the installation of a large grease interceptor. Sizing will be based on the Standard PDI-G101 of the Plumbing & Drainage Institute, simplified chart, wherever possible.

### Section 13-808 Approval of Grease Control Equipment

All new FSEs and FSEs that have upgraded their facilities must contact the City for final approval of the grease control equipment. This will include onsite inspection of the grease control equipment by the City, or their authorized representative.

### Section 13-809 Grease Control Equipment Sizing

1. Minimum acceptable size of grease control equipment for each FSE Classification will be as follows:

Class 1: Deli, Ice Cream shops, Beverage Bars, Mobil Food Vendors- 20gpm/40 pound Grease Trap (NAICS 72213, 722330)

Class 2: Limited-Service Restaurants / Caterers / Daycares - 1,000 gallon Grease Interceptor (NAICS 722211, 722320)

Class 3: Full Service Restaurants- 1,000 gallon Grease Interceptor (NAICS 722110)

Class 4: Buffet and Cafeteria Facilities- 1,500 gallon Grease Interceptor (NAICS 72212)

Class 5: Institutions (Schools, Hospitals, Prisons, etc)- 2,000 gallon Grease Interceptor (NAICS 722310)

2. To calculate the appropriate size GCE, the FSE's engineer, architect or contractor should use a formula that considers fixture units, storage capacity, type of facility and an adequate retention time. The grease control equipment minimum acceptable size for the above listed FSE classifications (Class 1 through 5) must be met.
3. The City will review GCE sizing information received from the completed Grease Control Inquiry Form or the FSE's engineer, architect or contractor. The City will make a decision to approve, or require additional grease interceptor volume, based on the type of FSE, the number of fixture units, and additional calculations. Grease interceptor capacity should not exceed 3,000 gallons for each interceptor tank. In the event that the grease interceptor calculated capacity needs to exceed 3,000 gallons, the FSE shall install an additional interceptor of the appropriate size. If additional interceptors are required, they shall be installed in series.
4. Grease interceptors that are installed in series shall be installed in such a manner to ensure positive flow between the tanks at all times. Therefore, tanks shall be installed so that the inlet invert of each successive tank shall be a minimum of 2 inches below the outlet invert of the preceding tank.
5. Grease Control Equipment must remove fats, oils, & grease at or below the City of Clarksville limit of 100 mg/L.

## Section 13-810 Grease Interceptor Design and Installation

### Piping Design

1. The inlet and outlet piping shall have 2-way cleanout tees installed
2. The inlet piping shall enter the receiving chamber 2 1/2" above the invert of the outlet piping.
3. On the inlet pipe, inside the receiving chamber, a sanitary tee of the same size pipe in the vertical position with the top unplugged shall be provided as a



turndown. To provide air circulation and to prevent “air lock”, a pipe nipple installed in the top tee shall extend to a minimum of 6” clearance from the interceptor ceiling, but not less than the inlet pipe diameter. A pipe installed in the bottom of the tee shall extend to a point of 2/3 the depth of the tank. The inlet T should be made of Schedule 40 PVC or equivalent material. See illustration.

4. The outlet piping shall be no smaller than the inlet piping, but in no case smaller than 4” ID.
5. The outlet piping shall extend to 12” above the floor of the interceptor and shall be made of a non-collapsible material. Minimum requirement for outlet piping is Schedule 40 PVC.
6. The outlet piping shall contain a tee installed vertically with a pipe (nipple) installed in the top of the tee to extend to a minimum of 6” clearance from the interceptor ceiling, but not less than the pipe diameter, with the top open. Minimum requirement for the outlet tee is Schedule 40 PVC. See illustration.

#### Baffles

1. The grease interceptor shall have a non-flexing (i.e. Concrete, steel, etc.) baffle the full width of the interceptor, sealed to the walls and the floor, and extend from the floor to within 6” of the ceiling. The baffle shall have an inverted 90 degree sweep fitting at least equal in diameter size to the inlet piping, but in no case less than 6” ID. The bottom of the sweep shall be placed in the vertical position in the inlet compartment 12” above the floor. The sweep shall rise to the horizontal portion, which shall extend through the baffle into the outlet compartment. The baffle wall shall be sealed to the sweep. See illustration.
2. The inlet compartment shall be 2/3 of the total liquid capacity with the outlet compartment at 1/3 liquid capacity of the interceptor.

#### Access Openings (Manholes)

1. Access to grease interceptors shall be provided by a minimum of 1 manhole per interceptor division (baffle chamber) and of 24-inch minimum dimensions terminating 1 inch above finished grade with cast iron frame and cover. An 8” thick concrete pad extending a minimum of 12” beyond the outside dimension of the manhole frame shall be provided. One manhole shall be located above the inlet tee hatch and the other manhole shall be located above the outlet tee hatch. A minimum of 24” of clear opening above each manhole access shall be maintained to facilitate maintenance, cleaning, pumping, and inspections.
2. Access openings shall be mechanically sealed and gas tight to contain odors and bacteria and to exclude vermin and ground water, in a manner that permits regular re-uses.

3. The manholes are to be accessible for inspection by the City.

#### Additional Requirements

**Water Tight** – Precast concrete grease interceptors shall be constructed to be watertight. A static water test shall be conducted by the installer and timed so as to permit verification through visual inspection by regulatory agent. The water test shall consist of plugging the outlet (and the inlet if necessary) and filling the tank(s) with water to the tank top a minimum of 24 hours before the inspection. The tank shall not lose water during this test period. Certification by the plumbing contractor shall be supplied to the City prior to final approval of grease control equipment.

**Location** – Grease interceptors shall be located so as to be readily accessible for cleaning, maintenance, and inspections. They should be located close to the fixture(s) discharging the greasy wastestream. If possible, grease interceptors should not be installed in “drive-thru” lanes or a parking area. Grease interceptor access manholes shall never be paved over.

**Cleaning** – Grease interceptors shall be cleaned at a frequency of not less than once every 90 days unless approved by the City. Approval will be granted on a case by case situation with submittal by the FSE documenting proof of proposed frequency. Grease interceptors must be pumped-in-full when the total accumulations of surface FOG (including floating solids) and settled solids reaches twenty-five percent (25%) of the grease interceptor’s overall liquid depth. This criterion is referred to as the “25 Percent Rule”. Some FSEs may have to pump their grease interceptors on a 30 day or 60 day schedule to meet the 25% rule criteria. At no time, shall the cleaning frequency exceed 90 days unless approved by the City. Approval will be granted on a case by case situation with submittal by the FSE documenting proof of proposed frequency.

**Responsibility** – Removal of the grease from the wastewater routed to a public or private sanitary system, is the responsibility of the user/owner.

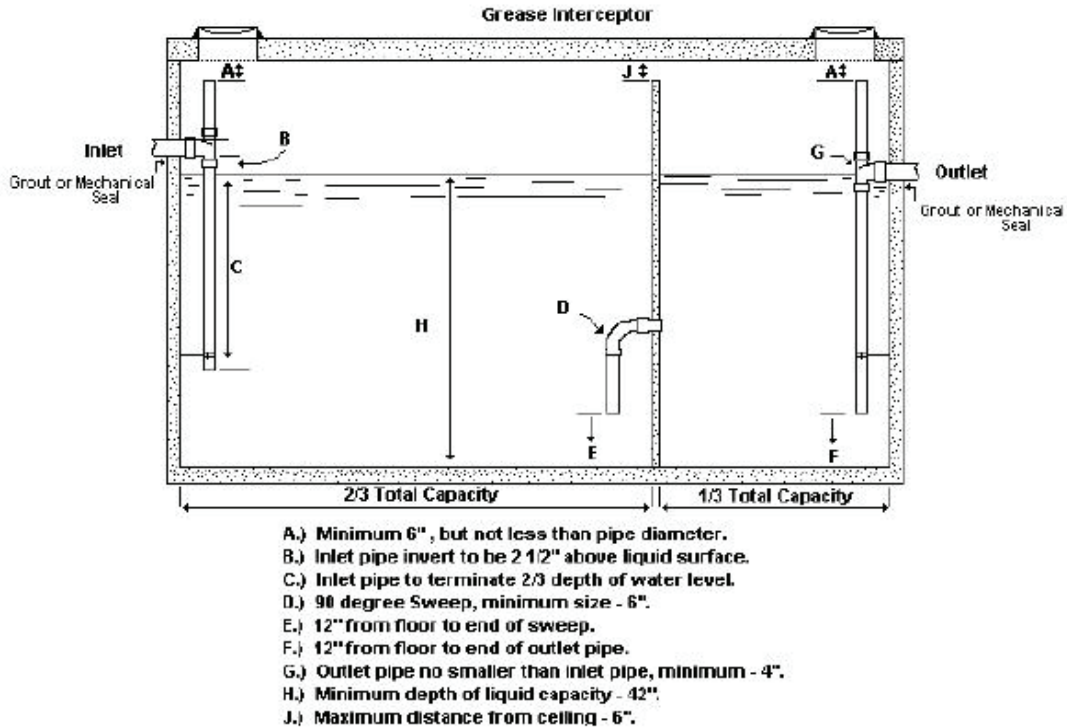
**Construction Material** – Grease Interceptors shall be constructed of sound durable materials, not subject to excessive corrosion or decay, and shall be water and gas tight. Each interceptor shall be structurally designed to withstand any anticipated load to be placed on the interceptor (i.e. vehicular traffic in parking or driving areas).

**Note:** Concrete materials and other grease interceptor materials shall meet the American National Standards Institute, Inc. (ANSI) and International Association of Plumbing and Mechanical Officials (IAPMO) standards.

**Marking and Identification** - Prefabricated gravity grease interceptors shall be permanently and legibly marked with the following:

- Manufacturer's name or trademark, or both
- Model number

- Capacity
- Month and year of manufacture
- Load limits and maximum recommended depth of earth cover in feet; and
- Inlet and outlet



### Section 13-811 Grease Interceptor Cleaning/Maintenance Requirements

1. Partial pump of interceptor contents or on-site pump & treatment of interceptor contents will NOT be allowed due to reintroduction of fats, oils and grease to the interceptor and pursuant to City of Clarksville Sewer Use Ordinance 88-2007-08, Section 13-702(m) and as referenced in the Code of Federal Regulations (CFR) § 403.5 (b) (8), which states "Prohibited discharges. No persons shall discharge or cause or allow to be discharged or deposited into the City's wastewater system any wastewater that contains the following: Any trucked or hauled pollutants, except at discharge points designated and approved by the City."
2. Grease interceptors must be pumped-in-full (total pump of all contents) when the total accumulations of surface FOG (including floating solids) and settled solids

reaches twenty-five percent (25%) of the grease interceptor's overall liquid depth. This criterion is referred to as the "25 Percent Rule". At no time, shall the cleaning frequency exceed 90 days unless approved by the City. Approval will be granted on a case by case situation with submittal by the FSE documenting proof of proposed frequency. Some existing FSEs in Class 2 through 5 will need to consider a pumping schedule of 30 days or 60 days to meet this requirement.

3. The Grease interceptor effluent-T will be inspected during cleaning and maintenance and the condition noted by the grease waste hauler's company or individual conducting the maintenance. Effluent-T's that are loose, defective, or not attached must be repaired or replaced immediately. Any repairs to the grease interceptor should be documented and kept on file at the FSE.
4. Grease Interceptors must have access manholes over the influent-T and effluent-T for inspection and ease of cleaning/maintenance. Access manholes will be provided for all separate compartments of interceptors for complete cleaning (i.e. interceptor with two main baffles or three compartments will have access manholes at each compartment).
5. Grease Interceptor waste must be hauled offsite and disposed at a State or POTW approved disposal location.
6. Grease Interceptors must be "certified" annually by a grease waste hauler or plumber. Grease Interceptor Certification (Form A) must be completed and submitted to City annually.

#### Section 13-812 Grease Trap Sizing, Installation and Maintenance

1. All grease traps will have a flow control restrictor and be properly vented. Failure to have the flow restrictor and venting will be considered a violation.
2. All new FSEs that are allowed to install grease traps must have City approval prior to starting operations.
3. Grease Trap minimum size requirement is a 20 gallon per minute / 40 pound capacity trap.
4. Grease Traps must have the Plumbing Drainage Institute certification, and be installed as per manufacturer's specifications.
5. No automatic dishwasher shall be connected to an under-the-sink grease trap or floor grease trap.
6. No automatic drip or feed system for additives is allowed prior to entering the grease trap without written approval from the Grease Management Coordinator.

7. A single grease trap device shall be installed for each significant kitchen fixture unit (i.e. each 3 compartment sink). The City must approve the number of grease traps and connections to the grease trap.
8. During cleaning of the grease trap, the flow restrictor shall be checked to ensure it is attached and operational.
9. Grease Traps will be cleaned of complete fats, oils, and grease and food solids at a minimum of every thirty (30) days. If the FOG and food solids content of the grease trap is greater than 25%, then the grease trap must be cleaned as frequently as needed to prevent 25% of capacity being occupied with FOG and food solids.
10. Grease Trap waste should be sealed or placed in a container to prevent leachate from leaking, and then disposed, or hauled offsite by a grease waste hauler or plumber to an approved disposal location.
11. Grease Trap waste should not be mixed with yellow grease in the grease recycle container.
12. Grease Traps must be “certified” annually.

#### Section 13-813 Accidental Discharge Prevention

Food Service Establishments shall provide such facilities and institute such procedures as are reasonably necessary to prevent or minimize the potential for accidental discharge of fats, oils, and grease into the sewage collection system. This includes implementation of “Best Management Practices” protocols.

#### Section 13-814 “Additives” Prohibition for use as Grease Management and Control

1. Additives include but are not limited to products that contain solvents, emulsifiers, surfactants, caustics, acids, enzymes and bacteria.
2. Use of biological additives is discouraged. Any additive placed into the grease trap or building discharge designed to absorb, purge, consume, treat or otherwise eliminate grease shall require written approval by the Grease Management Coordinator. If the City identifies FOG in the downstream sewer system from a FSE that is using an additive, then the City may require the FSE to discontinue use of the additive.
3. Additive use will not be a substitute for regular, required cleaning or pumping of grease control equipment.
4. This FOG Ordinance prohibits the use of chemicals, acids, caustics, enzymes, hot water, emulsifiers, surfactants, or other additives to cause oil or grease to pass

through the user's grease trap or grease interceptor designed to remove oil and grease.

#### Section 13-815 Right of Entry – Inspection and Monitoring

The City shall have the right to enter the premises of FSEs to determine whether the FSE is complying with the requirements of this FOG Ordinance. FSEs shall allow City personnel, or their authorized representative, upon presentation of proper credentials, full access to all parts of the premises for the purpose of inspection, monitoring, and/or records examination. Unreasonable delays in allowing City personnel access to the FSE premises shall be a violation of this FOG Ordinance and the City of Clarksville Sewer Use Ordinance. All grease interceptors/traps shall be subject to review, evaluation and inspection by the City personnel during normal working hours. Inspections will determine proper maintenance, changes in operation, proper records and files, ability of interceptor to trap and prevent grease from entering the system and any other factors pertaining to grease management. The City reserve the right to make determinations of interceptor/trap condition and adequacy based on review of all information regarding the interceptor/trap performance and require cleaning, maintenance, modification or replacement. All records will be available on site for review by the City for a period of 36 months. The City may require that the FSE install monitoring or additional pretreatment equipment deemed necessary for compliance with this FOG Ordinance and/or the City of Clarksville Sewer Use Ordinance.

#### Section 13-816 Fee Option

The City may charge inspection, monitoring, assessment, impact, surcharge and/or permit fees to food service establishments for reimbursement of the cost to administer this FOG regulatory program.

#### Section 13-817 FOG Treatment, Disposal and Resource Recovery Plan

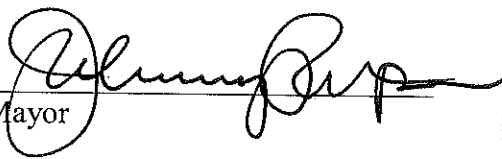
The City, at the discretion of the General Manager, may implement a FOG Treatment, Disposal and Resource Recovery Plan (Plan). The plan may be implemented if there exists problems with FOG disposal, continued FOG obstruction in the sewer system, or inconsistent maintenance provided by grease waste haulers to prevent FOG discharges. The plan will include a Request For Proposal (RFP) for the treatment and disposal of FOG waste generated from the City of Clarksville food service establishments. The RFP will include that the successful RFP respondent provide some form of beneficial reuse of the FOG waste that is treated. Also, the RFP may include a cost estimate for maintenance (complete pump of grease interceptors and grease traps) and certification of the grease control equipment of all City of Clarksville food service establishment grease interceptors and grease traps. The results of the RFP may provide a single source for GCE pumping, GCE certification, FOG treatment, FOG disposal, and reporting to the City. The City will implement quality control practices to ensure that the successful RFP respondent meets all RFP requirements. In addition, the total cost of the food

service establishment GCE pumping, and FOG treatment and disposal should be the same price or at a lower price than the average market cost of GCE maintenance.

#### Section 13-818 Violations and Enforcement Action

1. Violations of this FOG regulatory program include, but are not limited to, failure to clean or pump grease control equipment, failure to maintain grease control equipment including installation of properly functioning effluent-T and baffles, failure to install grease control equipment, failure to control FOG discharge from the FSE, failure to certify the grease interceptor or trap, being responsible for sewer line obstruction, being responsible for a sanitary sewer overflow, and use of additives so that FOG is diluted or pushed downstream of the FSE.
2. Whenever the City determines that a grease interceptor or trap is in need of installation, pumping, repairs, maintenance, or replacement, a noncompliance notification or a notice of violation (NOV) will be issued stating the nature of the violation(s) and timeframe for corrective measures.
3. If the facility fails to initiate action in response to a noncompliance notification or NOV, a second notice will be issued and additional fees assessed. Fees may include costs associated with service calls for sewer line blockages, line cleaning, camera trucks, line and pump repairs, including all labor, material and equipment. Further non-compliance will result in the discontinuance of the facility's water service.
4. Immediate discontinuance of water and/or wastewater service may be issued if the facility presents an imminent endangerment to the health or welfare of persons or to the public or to the environment, or causes stoppages or excessive maintenance to the sanitary sewer system, cause significant interference with the wastewater treatment plant, or cause the City to violate any condition of its NPDES permit. Service shall be reinstated when such conditions have been eliminated as determined by the City.
5. In addition to any inspection or violation fees, any user who is found to have violated this Chapter, may be assessed an administrative penalty not to exceed ten thousand dollars (\$10,000) per violation. Each day on which non-compliance shall occur or continue shall be deemed a separate and distinct violation. Such assessment and all other fees may be added to the user's next scheduled sewer service charge.
6. If inspections and field investigations determine that any fats, oils and grease interference or blockage in the sewer system, a sewage pumping station, or the wastewater treatment plant is caused by a particular food service establishment, then that food service establishment shall reimburse the City for all labor, equipment, supplies and disposal costs incurred by City to clean the interference or blockage. The charges will be added to the FSEs water/wastewater bill. Failure to reimburse the City may result in termination of water service.

6. If inspections and field investigations determine that any fats, oils and grease interference or blockage in the sewer system, a sewage pumping station, or the wastewater treatment plant is caused by a particular food service establishment, then that food service establishment shall reimburse the City for all labor, equipment, supplies and disposal costs incurred by City to clean the interference or blockage. The charges will be added to the FSEs water/wastewater bill. Failure to reimburse the City may result in termination of water service.

  
Mayor

ATTEST:

  
City Clerk

<i>POSTPONED:</i>	November 5, 2008
<i>FIRST READING:</i>	November 6, 2008
<i>SECOND READING:</i>	December 4, 2008
<i>EFFECTIVE DATE:</i>	December 11, 2008