

## ORDINANCE NO. 2772

**AN ORDINANCE AMENDING ORDINANCE 2680 WHICH CREATED CHAPTER 23 – UTILITIES – ARTICLE IX – FATS, OILS, AND GREASE CONTROL; PROVIDING FOR THE FATS, OILS, AND GREASES (FOG) PROGRAM FOR THE PROPER DISPOSAL OF FATS, OILS, AND GREASES WITHIN THE CITY OF PANAMA CITY’S SEWAGE AND WASTEWATER SYSTEM; PROVIDING FOR AN ENFORCEMENT RESPONSE PLAN; PROVIDING FOR A COST RECOVERY PROGRAM FOR VIOLATIONS; AMENDING TANK SIZES; AND PROVIDING FOR AN IMMEDIATELY EFFECTIVE DATE.**

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY, FLORIDA:

**WHEREAS**, the City of Panama City Commission is charged with ownership and maintenance of the City’s water and wastewater conveyance and treatment systems.

**WHEREAS**, the City of Panama City maintains and operates hundreds of miles of gravity main pipes throughout the City and to keep the pipes clean and free-flowing, the City must control Sanitary Sewer Overflows (SSOs), a condition whereby untreated sewage is discharged into the environment prior to reaching a wastewater treatment facility. SSOs are primarily caused by blockages in the sanitary sewer lines.

**WHEREAS**, the City of Panama City Commission has determined that grease blockages of fats, oils, and greases (FOG) are a major contributor of SSOs. When grease is disposed of in the sewer system, it cools, solidifies, and accumulates in the pipes restricting flow. Increased concentrations of FOG are found in the wastewater discharged from food service establishments (FSEs).

**WHEREAS**, the City of Panama City Commission to address the problem, has introduced a fats, oils, and grease (FOG) program for local FOG Producing Establishment (FPE’s) through Ordinance 2680.

**NOW THEREFORE, IT IS ORDAINED** by the City Commission of Panama City, Florida, amends Chapter 23 as follows:

(~~Strikethroughs~~ are deletions and Underlines are additions.)

### ARTICLE IX – FATS, OILS, AND GREASE CONTROL

Division 1 Generally

Sec. 23-501 - 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 grease (FOG) into the City sewer system from commercial, industrial, religious, and institutional food service establishments. The objective is to eliminate FOG related sanitary sewer overflows and sewer line blockages to protect the area streams, prevent residential and commercial property damage, decrease sewer maintenance costs, and to improve environmental quality.

#### Sec. 23-502 – Authority

It shall be unlawful for any Fog Producing Establishment (FPE) to operate without approved grease oil control equipment as required in this article. The interpretation of this Article shall be the responsibility of the Utilities Director and/or their designee.

#### Sec. 23-503 - Definitions

- (a) *Act or the Act*: the Federal Water Pollution Control Act, also known as the Clean Water Act (33 U.S.C. §§ 1251-1388 (2014)).
- (b) *Authorized Representative of the Food Service Establishment*: a person who may be:
  - (1) The Owner, and or
  - (2) General Manager, and or
  - (3) Manager, and or
  - (4) Duly authorized representative of the individual designated in this definition if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
- (c) *Baffle*: A plate, wall, or panel to deflect, check, or regulate the passage of grease-laden wastewater through the grease trap or gravity grease interceptor. A hanging baffle is one that does not extend to the floor of the interceptor. It generally extends only to the top half of the water level. A slotted baffle is one that extends to the floor of the interceptor and has one or more slots generally located at the middle of the water level to convey liquid from the inlet side to the outlet side of the interceptor.
- (d) *Black Water or Domestic Sanitary Sewage*: Wastewater containing human waste from sanitary fixtures such as toilets and urinals.
- (e) *Brown Grease*: Fats, oils, and grease that is discharged to the grease control equipment. Brown grease can be discharged from kitchen fixtures and appliances (i.e., 3-compartment sinks, pre-rinse sinks, automatic dishwashing machines, mop sinks, floor drains, water cooled wok stoves, soup kettles, etc.) or other locations where the grease has been contaminated in some fashion.
- (f) *Certified*: Having met the City's requirements. In respect to the Grease Waste Hauler/Plumbing Contractors, these are companies permitted and licensed in the state of Florida to conduct such services and repairs as it pertains to this ordinance.
- (g) *City*: Shall mean the City of Panama City personnel and or any agents doing business on behalf of the City of Panama City, Florida.
- (h) *Commissary*: Usually a commercial kitchen that mobile food vendors report to daily for all food and supplies, cleaning, servicing operations, and waste disposal.
- (i) *Director*: Shall mean the City of Panama City Utilities Director and or designee.
- (j) *Industrial Service Establishment (ISE)* is known as; any establishment known to use any oil based, solvent based or grease laden solution that can be discharged into the

sanitary sewer system by way of mechanical discharge or gravity type drains. These establishments include but are not limited to; oil change centers, mechanic shops, car washes (automatic or self), Laundry mats (automatic or self), pesticide facilities mixing solutions from concentrate and oil refineries having area drains connecting to city sewer and or storm drains. \*\*\* Note, Facilities using solutions known to be flammable and or caustic shall keep on hand a complete set of Material Safety Data Sheets ("MSDS") for inspection by the office of the City Fire Marshall.

(k) Failed annual tank certification (Tank failures): Gravity grease interceptors, traps and oil water separators that have a compromised structure shall be deemed a failed device and will need to be replaced. A compromised or failed device is defined as:

1. Concrete walls that have deteriorated all the way to the rebar re-enforced cage located in the middle of the tank walls. This means that at a minimum, 50% of the concrete wall is missing and the structural integrity of the device is compromised and poses health and safety issues to the facility, public and environment.

2. Cracks found under the waterline in the tank that could possibly leak into the ground causing a contamination issue in the surrounding area.

3. Holes or breaches due to corrosion found under the waterline in the tank that could possibly leak into the ground causing a contamination issue in the surrounding area.

4. Cracked or un-sealed lids and manholes that could introduce ground water into the tank that in turn would increase the amount of ground water the Publically Owned Treatment Works (POTW) would have to process.

\*\* Note: In Cases where cracks, holes and breaches are present, the FOG Coordinators office will accept a temporary repair that will allow the facility to continue to operate as normal until a new interceptor / trap can be installed. With the submission of a CAPP FORM # 1919 a. combined with the temporary repair, the facility will have 365 calendar days from the date of discovery to complete the installation of a new device.

(l)(4) Flow Control Device: An integral part of a hydro-mechanical grease interceptor (HGI) installed on the inlet side that controls the wastewater flow through the grease trap and entrains air bubbles in the wastewater stream via the vent to facilitate grease removal. See Section 23-508 (b) and Section 23-513 (a).

(m)(4) FOG (fats, oils, and grease): Organic and no- organic, polar and non- polar compounds derived from animal, vegetable plant sources or synthetic petroleum based solutions. For the purposes of this Ordinance, the terms "grease" and greases may be used in lieu of FOG.

(n)(m) FOG Program Coordinator: Person employed or designated by the City of Panama City 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.

(o)(n) Food Service Establishment (FSE): Any establishment, business, or facility engaged in preparing, serving, or making food available for consumption. Single family residences are not an FPE, however, multi-residential facilities may be considered an FPE at the discretion of the FOG Coordinator. Food Service Establishments will be classified by the City's FOG Program as follows:

(1) Class 1: Delis—engaged in the sale of salads, cold cut and microwaved/convection oven warmed sandwiches/subs with no frying or grilling on site, use of precooked meats, utilization of disposable serving ware with very limited culinary washing, Meat Markets with meat preparation such as slicing and grinding as defined by the North American Industry Classification System (“NAICS”) 445210, Coffee Shops (small) as defined by NAICS 7222135, Ice Cream Shops as defined by NAICS 7222131, Frozen Yogurt Shops as defined by NAICS 7222132, Retail Bakeries (small) with no on premise frying or preparation of other non-bakery foods as defined by NAICS 311811, Doughnut Shops with baking only as defined by NAICS 72221331, Beverage Bars with limited on premise food preparation that can be classed as a deli as defined by NAICS 722515, Day Care facilities (minimum classification—depending on menus, food preparation, culinary cleaning, and number of meals served) as defined by NAICS 624410, Religious Organizations (minimum classification—depending on menus, food preparation, culinary cleaning, number of meals served, and frequency meals are served) as defined by NAICS 813110, and Mobile Food Vendors as defined by NAICS 722330.

(2) Class 2: Limited Service Restaurants (a.k.a. fast food facilities, drive-in, carry-out) as defined by NAICS 722513, Day Care facilities (maximum classification—depending on menus, food preparation, culinary cleaning, and number of meals served) as defined by NAICS 624410, Religious Organizations (maximum classification—depending on menus, food preparation, culinary cleaning, number of meals served, and frequency meals are served) as defined by NAICS 813110, Full Service Restaurants (minimum classification—seating capacity less than 65) as defined by NAICS 722511, Buffet and Cafeteria facilities (minimum classification—seating capacity less than 65) as defined by 722514, Doughnut Shops with on premise frying as defined by NAICS 7222133, Coffee Shops (large) as defined by NAICS 7222135, Caterers as defined by NAICS 722320, Convenience Stores without fuel pumps as defined by NAICS 445120, Convenience Stores with fuel pumps as defined by 447110, and Supermarkets/Grocery Stores as defined by NAICS 445110.

(3) Class 3: Full Service Restaurants (maximum classification—seating capacity greater than 65) as defined by NAICS 722511.

(4) Class 4: Buffet and Cafeteria Facilities (maximum classification—seating capacity greater than 65) as defined by NAICS 722514. ISE's

(5) Class 5: Institutional, Industrial Service Establishments (Schools, Hospitals, Nursing Homes, Prisons, Vehicle garages, Oil change centers, laundry mats and refineries etc.) which include NAICS classifications 611110, 611310, 623110, 623311, 623312, 722310, and 922140, but not to exclude self-run operations.

(p) Fog Producing Establishment (FPE): Any establishment, business, or facility known to discharge FOG (fat, oil and grease) laden waste water into the sanitary sewer system belonging to the City of Panama City.

(q) General FOG Permit: A fats, oils, and grease permit in which all food service establishments and are grouped and is valid for a period of five years.

(r)(#) *Gravity Grease Interceptor (GGI)*: See Grease Interceptor - these terms are synonymous.

(s)(#) *Gray Water*: Refers to all other wastewater other than black water as defined in this section.

(t)(#) *Grease Control Equipment (GCE)*: A device that is designed and constructed for separating and retaining FOG Producing Establishment's wastewater fats, oils, and grease (FOG) prior to entering the City's sewer system. Devices include grease interceptors (gravity grease interceptors), grease traps (hydro-mechanical grease interceptors), or other FOG remediation devices approved by the City of Panama City's planning and zoning department.

(u)(#) *Grease Interceptor (Gravity Grease Interceptor) or GGI*: Grease Control Equipment identified as a large, in-ground tank, usually 750-gallon or larger capacity, which provides FOG control for a FPE. Grease interceptors will be located outside the FPE, and be approved by the City.

(v)(#) *Grease Recycle Container (Bin)*: Container used for the storage of yellow grease (see yellow grease).

(w)(#) *Grease Trap (Hydro-Mechanical Grease Interceptor) or HGI*: Grease Control Equipment identified as an "under the sink" trap, or a "floor trap" which is a small container or tank with baffles designed for inside installation at kitchen fixtures and appliances, although they are sometimes installed adjacent to the kitchen and outside the building either above or below the ground. For a FPE 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 shall be correctly sized, have a properly sized/installed flow control device, and be approved by the City. See Section 23-508 (b) for variance of existing grease traps.

(x)(#) *Grease Waste Hauler (GWH)/Plumber*: Any company that pumps, cleans, and maintains grease control equipment, to include Grease Control Equipment Certification. All grease waste haulers and plumbers performing these duties within the City shall be licensed and or certified by the State of Florida to perform such work as cited in this FOG Ordinance.

(y)(#) *Grease Waste Line (GWL)*: The wastewater plumbing that conveys grease-laden wastewater from fixtures and appliances to the Gravity Grease Interceptor (GGI) or other GCE. This GWL shall be separate from any plumbing conveying sanitary wastewater.

(z)(#) *Health Department*: Bay County Health Department (BCHD), Environmental Health Division, part of the Florida Department of Public Health, is responsible for the food permitting and sanitation inspection of food service establishments discharging into the City of Panama City's wastewater collection system.

(aa)(z) *Hydro-Mechanical Grease Interceptor*: See Grease Trap - these terms are synonymous.

(bb)(aa) *Industrial Service Establishment (ISE)*: Any establishment known to use and discharge petroleum based solutions, solvents, emulsifiers, surfactants, caustics, acids, enzymes and bacteria into the sanitary sewer system of the City of Panama City.

(cc)(bb) *NAICS*: North American Industry Classification System, using 2012 (or latest) classifications. The website is found at <http://www.census.gov/epcd/www/naics.html>.

(dd)(ee) *Noncompliance Notice (NCN)*: A notice generally issued by the City of Panama City's FOG Program Coordinator or FOG Program Inspector, informing the noncompliant user that it is in noncompliance with the FOG Ordinance. The NCN is issued for any identified problems with grease control equipment operation, maintenance, or components. The specific noncompliance will be noted.

(ee)(dd) *Notice of Violation (NOV)*: A notice generally issued by the City of Panama City's FOG inspector to a FPE, informing the noncompliant user of violations of the City's Sewer Use Ordinance and FOG Ordinance. The specific violation will be noted.

(ff)(ee) *Oil, water separator (OWS)*: An oil, water separator is a device designed to separate gross amounts of oil and suspended solids from the wastewater effluents of oil refineries, petrochemical plants, chemical plants, pest control, auto mechanic facilities laundry facilities and other oily water sources. These devices shall be maintained and serviced in accordance with GGI's service schedules unless otherwise permitted. At a minimum an OWS must be serviced every 90 days and disposed of by way of waste haulers to a facility designed to accept petroleum laden waste. Generators of Petroleum Contact Water (PCW) shall observe and follow the F.A.C. 62-740 for storage, manifesting, transporting and re-use regulations.

(gg)(ff) *Private Lift Station (PLS)*: Is known as; any establishment commercial or commercial / residential having a tank in excess of 150 gallons acting as a storage medium capable of a retention value resulting in the separation of FOG laden solutions. These lift stations shall be maintained and serviced in accordance with GGI's service schedules unless otherwise permitted. At a minimum a PLS must be serviced every 90 days and disposed of by way of waste haulers to a facility designed to accept F.O.G. laden waste. No decanting or disposal to a City of Panama City owned lift station will be permitted. Pumping and servicing can only be done by a waste hauler / plumbing contractor licensed and or certified by the State of Florida to perform such work as cited in this FOG Ordinance.

(hh)(gg) *Publicly Owned Treatment Works (POTW)*: A treatment works, as defined by 33 U.S.C. § 1292 of the Act, which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.

(ii)(hh) *Sanitary Wastewater Line*: Wastewater plumbing conveying wastewater from the urinals and toilets.

(jj)(ii) *Series*: (Grease Interceptors Installed in Series): Grease interceptor tanks are installed one after another in a row and are connected by plumbing pipe to increase the effective volume of the grease control equipment.

(kk)(jj) *Tee or T (Influent & Effluent)*: A T-shaped pipe fitting 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.

(ll)(kk) *User*: Any person, corporation, or company who contributes, causes or permits the contribution of wastewater into the City's POTW.

(mm)(ll) *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. Most “yellow grease” is used deep fat fryer grease. Yellow grease is shall be stored in an approved grease recycle container or bin for beneficial reuse.

#### Sec. 23-504 - General Requirements

(a) All existing and proposed FOG Producing Establishments (FPEs) are required to have grease control equipment (GCE) installed, maintained and inspected to ensure they are operating properly in accordance with this FOG Ordinance. As part City of Panama City’s ethics and conduct policies, all or part of the inspection process including but not limited to video and audio recordings will be performed to ensure fair and impartial representation by the official performing the inspection.

(1) Existing Food Service Establishments in operation prior to adoption of this FOG Ordinance are required to have GCE properly installed, maintained and operating in accordance with this FOG Ordinance no later than 365 calendar days.

(2) All new FPE construction required by the City to have grease trap (hydro-mechanical grease interceptor) FOG remediation shall comply with Section 23-509 and Section 23-513 (a) through (i) immediately upon the effective date of this Ordinance.

(3) All new FPE construction required by the City to have gravity grease interceptor FOG remediation shall comply with Section 23-509 and Section 23-511 immediately upon adoption of this FOG Ordinance.

(4) After adoption of this FOG Ordinance, any change of ownership of an existing FPE or FPE applying for a new business license having an existing gravity grease interceptor and/or required by the City to have a gravity grease interceptor and not meeting the requirements of Section 23-511, must comply immediately with Sections 23-507 (a) through (g) or at the discretion and approval of the City, rebuild/modify the existing interceptor in accordance with Section 23-507 (g) or install a gravity grease interceptor in compliance Section 23-511.

(5) After the effective date of the ordinance, any change of ownership of an existing FPE or FPE applying for a new business license having an existing hydro-mechanical grease interceptor (grease trap) and/or required by the City to have a hydro-mechanical grease interceptor, must comply immediately with Section 23-513 and Section 23-508 as determined by the FOG Program.

(b) All FPE’s will be required to maintain records of cleaning and maintenance of GCE. GCE maintenance records will be maintained on-site of the FPE and include, at a minimum, the date of cleaning/maintenance, company or person conducting the cleaning/maintenance, volume (in gallons) of grease wastewater removed and the final disposal location. In addition, grease waste haulers shall comply with Panama City Utilities manifest documentation requirements for all disposal of FOG waste.

(c) GCE maintenance records as well as any MSDS sheets shall be available at the FPE premises and available for inspection by the City FOG Program personnel or their representative, and/or the Health Department. The FPE shall maintain GCE maintenance records for a minimum of three (3) years. As-built drawings and GCE manuals should be available for inspection and remain on premises for the life of the GCE at the FPE.

(d) No FPE will discharge any oil and/or grease in concentrations that exceed the City’s numerical surcharge level of (150mg/L) as it pertains to Article III, Div. 4 General

Pretreatment Regulations Sec. 23-184 (Ordinance 2456).

(e) Owners of commercial property will be held responsible for installation of City approved grease control equipment and shall ensure that lease agreements identify the responsible party for proper maintenance to control wastewater discharges from their property. A copy of the responsible party information shall be provided to the FOG Program Coordinator.

(f) Grease Control Equipment Certification Requirement: All FOG Producing Establishments with grease control equipment must have their gravity grease interceptor, oil water separator or grease trap inspected and certified at least annually by a licensed /certified grease waste hauler or a state licensed /certified plumber annually. Annually is defined as a period of 365 days from the initial issuance of permit. Any FPE that does not provide an annual grease control certification by the 365th day of the year following the General FOG Permit issuance, will be considered to be in noncompliance. If a gravity grease interceptor or grease trap "Passes" the certification requirement, no further action is required. If a grease interceptor or grease trap "Fails" the certification requirement, a corrective action response is required from the FPE user/owner or authorized representative to the City (refer to Section 23-504 (g)). Completed certification forms (Gravity Grease Interceptor Certification Form A or Grease Trap Certification Form B) must be completed by a licensed /certified grease waste hauler or a state licensed /certified plumber annually, signed by the FPE owner or authorized representative and submitted to the City. The original certification form must be submitted to the City at the following address:

City of Panama City  
Attn: FOG Program  
501 Harrison Ave.  
Panama City, FL 32401

(g) Failure of a Gravity Grease Interceptor Certification or Grease Trap Certification: The FPE owner or authorized representative is responsible for including detailed corrective action response information on the Gravity 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, and the date the corrective action will be completed. The FPE user/owner or authorized representative shall notify the FOG Program by phone or email within ~~one~~three (3) business days (Monday – Friday) of failing the certification. Any additional enforcement action will utilize the City of Panama City's Enforcement Response Plan (ERP) Deficiency / Violation quick reference table.

(h) FPEs shall dispose of yellow grease in an approved container, or recycle container/bin, and the contents shall not be discharged into any grease control equipment, sanitary sewer line, grease waste line, storm water grate, drain, plumbing fixture, or into the environment whereas to be conveyed to a stream, creek, or river. Yellow grease and oils disposed of in any manner other than an approved container or recycle container/bin is a violation of this FOG Ordinance.

- (i) It shall be a violation of this FOG Ordinance to leave the lid open on any outdoor grease recycle bin/container.
- (j) It shall be a violation of this FOG Ordinance to allow spilled yellow grease / automotive oils or any known contaminating solutions to remain on the ground inside the facility and / or around the recycle container/bin area that can be rained on and washed down to any storm water receptacle and / or sanitary sewer drains. Refer to Section 23-514 (e) for cleanup.
- (k) It shall be a violation of this FOG Ordinance to leave trash bags on the ground around dumpster area and / or inside the facility that could possibly leak fats, oils and grease.
- (l) It shall be a violation of this FOG Ordinance to push or flush the non-water portion of GCE into the public sewer.
- (m) It shall be a violation of this FOG Ordinance to dispose of any FOG laden liquid into any storm drain. It is further understood that at NO TIME will an FSE pressure wash, rinse, clean any kitchen equipment including but not limited to mats, mops or garbage cans in an exterior area of the facility that can drain to any storm drain or to the road where this FOG laden liquid could run off into the road that could cause a pollution or hazardous contamination issue.
- (n) Mobile food vendor commissaries discharging to the City of Panama City's POTW shall be located at commercial buildings.
- (o) Mobile food vendors discharging any grease-laden water into the City's sanitary sewer shall discharge only at locations and into GCE's approved by the City of Panama City's FOG Program.
- (p) All mobile food vendor commissaries discharging to the City's sanitary sewer shall be approved and subject to inspection by the City of Panama City's FOG Program.
- (q) Mop sink basins, equipment, vehicle, wash down bays located outside the building and drained to the sanitary sewer shall be covered with a canopy or roof whereas to prevent storm water from being introduced into the sewer.
- (r) Dumpster pads having plumbing draining to the City of Panama City's sanitary sewer shall be covered with a canopy or roof to prevent storm water from being introduced into the sanitary sewer. Provisions are to be made to prevent and/or redirect storm water drainage from areas other than the dumpster pad from entering the dumpster pad drain. Drains in these areas need to be connected to an interceptor or oil / water separator and sized accordingly.
- (s) Dumpster pad areas belonging to buildings existing prior to the adoption of this ordinance with dumpster pads drained to the City of Panama City's sanitary sewer shall be exempt from the aforementioned canopy or roof requirement of Sec. 23-504 (p). However, permanent measures acceptable to the City shall be implemented to prevent and/or redirect storm water from areas other than the minimum area required for the dumpster pads from entering the sanitary sewer system.
- (t) All solid waste dumpsters must be leak free. It is the responsibility of the FPE to ensure that if a leak is identified, it is brought to the attention of your solid waste hauler immediately. This includes but is not limited to the drain plug found at the bottom of dumpster bin.

- (u) All dumpster pad runoff drains are prohibited from connection to storm water conveyances.
- (v) Outdoor grated cleanouts are prohibited from use. Cleanouts shall be solid to prevent storm water from being introduced into the sanitary sewer. Missing or broken clean out caps shall be replaced immediately without delay.
- (w) Interceptors showing signs of raw untreated sewage is a violation of this fog ordinance. Sanitary sewer coming from restroom facilities inside FPE needs to be separated as required by Florida Plumbing Code sec. 1001 Traps, Interceptors and Separators.
- (x) The FPE user / owner or authorized representative shall notify the FOG Program by phone or email within one business day (Monday-Friday) of any noted deficiencies encountered while performing GCE pumping, cleaning, or maintenance, including annual GCE certification.

#### Sec. 23-505 – Fees and Permits

(a) The City shall charge inspection, monitoring, assessment, impact, surcharge fee's to all Food Service Establishment (FSE's) / Industrial Service Establishments (ISE's) as it pertains to each facility as classified below to get reimbursement for the FOG Program and/or POTW impact costs.

(b) A monthly FOG Program surcharge fee will be added to each FPE's utility bill. The FOG Program surcharge fee will be based on the FPE classification. The FPE classification FOG Program surcharge fees will be as follows:

- (1) Class 1: \$10 per month
- (2) Class 2: \$15 per month
- (3) Class 3: \$20 per month
- (4) Class 4 & 5: \$25 per month

(c) An additional compliance inspection fee of at least \$100 will be charged to each FOG Producing Establishment (FPE) for each re-inspection due to noncompliance issues and every failed inspection thereafter the inspection fee will increase exponentially to a maximum of \$1,000.00 per day.

(d) The City will issue General FOG Permits for Fog Producing Establishments (FPE). All new FPEs shall complete and submit the City's Fats, Oils, and Grease permit application. The general FOG Permits shall be issued and run concurrent with the facilities business license and be renewed in accordance with business license renewal. FPE will have 30 calendar days to complete and return permit the application to the FOG Program Coordinator office at 501 Harrison Ave., Panama City, FL 32401.

#### Sec. 23-506 - Approved Grease Waste Haulers / Certified Plumbers

The City of Panama City will only recognize Grease Waste Haulers (GWH) / plumbing contractors that are licensed and or certified by the State of Florida to perform such work as cited in this FOG Ordinance. Normal periodical cleaning of under counter grease traps done by FSE's as part of their BMP's is allowed however, disposal must be done according to this ordinance.

- (a) The Grease Waste Hauler (GWH) or state certified plumbing contractor performing any plumbing work associated with the GCE must have a valid plumber's license issued by the State of Florida where applicable.
- (b) Grease Waste Hauler Companies and Plumber Companies must maintain all required City business licenses.
- (c) Grease waste haulers and plumbers that pump gravity grease interceptors or grease traps must comply with the requirements of the City's FOG Ordinance.

## Division 2. Existing Grease Control Equipment

### Sec. 23-507 – Existing Gravity Grease Interceptor Design/Installation and Requirements

Any new or existing FPE, upgrading of an existing FPE, change of ownership of existing FPE or FPE applying for a business license, having an existing gravity grease interceptor (GGI), will be required to have the interceptor completely pumped and inspected by the City of Panama City's FOG Program personnel for suitability to perform its intended duties, for acceptable inlet and outlet plumbing components, for proper access openings over all chambers and for acceptable baffle configuration/plumbing. As part City of Panama City's ethics and conduct policies, all or part of the inspection process including but not limited to video and audio recordings will be performed to ensure fair and impartial representation by the official performing the inspection. Existing gravity grease interceptors installed prior to the adoption of this FOG ordinance not in compliance with design specification of section 23-511, but able to meet the requirements of Section 23-507 (a) through (f), shall be allowed to rebuild/modify in place. Interceptors deemed not able to meet the requirements of 23-507 (a) through (f) shall be required to install an approved interceptor that complies with section 23-511. Under certain circumstances, the required interceptor size and location may necessitate special exceptions. Allowances for alternative GCE may be approved, provided prior approval of unit type, size, location, etc. is obtained from the City of Panama City's FOG Program Coordinator. Any gravity grease interceptor(s) installed after the adoption of the FOG Ordinance shall comply with design and installation requirements of Section 23-511. Criteria for consideration by the City as an acceptable gravity grease interceptor existing or installed prior to adoption of this FOG Ordinance and not meeting the requirements of Section 23-511 of the FOG Ordinance is as follows:

- (a) Capacity and Condition – Existing gravity interceptors installed prior to the adoption of this FOG Ordinance shall have a minimum of 750-gallons capacity and shall be found to be in proper working order as determined by the City of Panama City's FOG Program Coordinator or their designee. Any existing gravity grease interceptor in this category not meeting these conditions shall require the installation of a gravity grease interceptor meeting the requirements of Section 23-511.
- (b) Piping
  - (1) The inlet piping shall enter the receiving chamber a minimum of 2  $\frac{1}{2}$  inches above the invert of the outlet piping.
  - (2) 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. A pipe (nipple) of the same size as the tee shall be installed in the top of the tee with the top of the nipple open. A pipe installed in the bottom of the tee

shall extend to a point of 2/3 the depth of the water level and or a minimum of 8" off the bottom of tank. The inlet tee shall be made of Schedule 40 PVC or equivalent material.

(3) The outlet piping shall be no smaller than the inlet piping, but in no case smaller than 4" diameter.

(4) The outlet piping shall contain a tee installed vertically with a pipe (nipple) of the same size as the tee shall be installed in the top of the tee with the top of the nipple open. A pipe installed in the bottom of the tee shall extend to a point of 2/3 the depth of the water level and or a minimum of 8" off the bottom of tank. The inlet tee shall be made of Schedule 40 PVC or equivalent material.

(c) Baffles

(1) The interceptor shall have a non-flexing (i.e. concrete, steel, etc.) baffle extending from the floor to a level above of the outlet piping. An existing gravity grease interceptor having no baffle(s) present or hanging baffle(s) that are open or baffle(s) not attached at the bottom will only be acceptable if; the inlet to the tank has a permanently affixed diversion tee with a pipe extending into the bottom of GGI no less than 8" from the floor of the tank.

(2) If inverted 90 degree sweeps or tees are used to convey liquid from the inlet to outlet side of the interceptor, the baffle shall have an inverted 90 degree sweep(s), or schedule 40 PVC tee(s), fitting at least equal in diameter size to the inlet piping, but in no case less than 4 inches. The bottom of the sweep(s) or tee(s) shall be placed in the vertical position of the inlet compartment 12 inches above the floor. If a tee is used in lieu of a sweep, a pipe nipple of the same size as the tee shall be installed in the top of the tee and extend to the same height reached by the top nipple installed on the inlet and outlet tee. The nipple shall remain open. A pipe installed in the bottom of the tee shall extend to 8" above the tank floor.

(3) In lieu of a sweep or tee through the baffle, slotted designs will be acceptable for existing gravity grease interceptors to convey liquid from the inlet to outlet side of the interceptor.

(4) The inlet compartment shall be 2/3 of the total liquid capacity with the outlet compartment at 1/3 liquid capacity of the interceptor.

(d) Access Openings (Manholes)

(1) Access to gravity grease interceptors shall be provided by a minimum of one manhole per interceptor division (baffle chamber/compartment) and be of 24-inch minimum dimension terminating 1 inch above finished grade with cast iron frame and cover. 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 water tight and gas tight to eliminate vermin and ground water intrusion in a manner that permits regular reuses. Manhole opening shall be sloped, but no greater than 1% to ensure adequate run off away from manholes to minimize water intrusion through ring and lid.

(3) The manholes shall be kept accessible for inspection by the City of Panama City.

(e) Location – Gravity 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 to the interceptor. Grease interceptor access manholes shall never be paved over, covered by landscaping, or have any other hindrances not allowing access. Failure to provide access at any time is in direct violation of this ordinance and if found to be the impeding factor of completing the inspection on the day as intended will result in an additional \$100.00 re-inspection fee.

(f) Construction Material – Grease interceptors shall be constructed of sound durable materials, not subject to excessive corrosion/decay, and shall be water and gas tight.

(g) Rebuilding/Modifying in Place

(1) An existing gravity grease interceptor having a minimum of 750-gallons capacity and found by the City of Panama City's FOG Program personnel to be functional, but having unacceptable access openings, baffle configuration, or plumbing, may be modified in place to an acceptable configuration as outlined in Section 23-507 (b) through (d) by rebuilding/modifying it in-place as set forth in Section 23-507 (g). The FOG Program Coordinator reserves the right to require additional gravity grease interceptor capacity and/or the installation of a gravity grease interceptor(s) meeting the requirements of Section 23-511.

(2) If the gravity grease interceptor's baffle is not acceptable (no baffle or hanging baffle), the baffle may be modified in-place to an acceptable configuration, generally as given in Section 23-507 (c) or an interceptor meeting the requirements of Section 23-511 shall be installed. The baffle shall extend above level of the outlet pipe.

(3) If the interceptor does not have compliant access openings over each compartment, these will need to be added to be in compliance with section 23-507 (d).

(h) New FPE's in existing buildings applying for a business license and having an existing gravity grease interceptor shall meet the requirements of Section 23-507 or Section 23-511 as required by the City prior to securing the signature of the FOG Program Coordinator for issuance of a business license.

#### Sec. 23-508 – Existing Grease Trap (Hydro-Mechanical Grease Interceptor) Requirements

(a) Any existing FPE, upgrading of an existing FPE, change of ownership of existing FPE, or FPE applying for a business license, that is required by the City to have FOG remediation by grease traps, and having an existing grease trap, shall be required to have the grease trap completely cleaned followed by inspection from the City of Panama City's FOG Program personnel.

(b) The inspection shall be a determination for proper size, for acceptable functional installation including a properly sized/installed flow control device, and for proper access to the grease trap. Existing grease traps installed prior to the adoption of this FOG Ordinance must meet the requirements of Section 23-513 (a) through (i) or receive a variance from the City.

(c) With the consent of the Director, an FPE with an existing grease trap installed prior to the adoption of this Division may receive a waiver from the design requirements in Section 23-513 (a) through (i) only if the grease trap is approved as an alternative

grease control equipment. The alternative grease control equipment must control FOG discharges from an FPE and be maintained as outlined in this FOG Ordinance. Any alternative grease control equipment must be approved by the City of Panama City's FOG Program coordinator.

(d) If a required current grease trap is not adequate or approved, a grease trap meeting the requirements of Section 23-513 (a) through (i) shall be installed. The City reserves the right to require FOG remediation or additional remediation of FOG laden fixtures or appliances in accordance with this FOG Ordinance.

(e) All new FPE's in existing buildings required by the City to have FOG remediation by a grease trap and having an existing grease trap shall meet the requirements of Section 23-508 as required by the City prior to securing the signature of the FOG Program Coordinator on a business license application.

### Division 3. New Grease Control Equipment

#### Sec. 23-509 – Grease Control Equipment Requirements for any New FPE Construction

(a) Any new FPE will be required to install and maintain GCE approved by the City. FPEs in this category must submit a "FOG Producing Establishment" Fats, Oils, and Grease Inquiry Form" to the City for approval along with the application for the General FOG Permit.

(b) The City will review the "FOG Producing Establishment (FPE's) Fats, Oils, and Grease Inquiry Form" and approve or recommend changes as necessary. In addition, any new FPE shall obtain a business license application and satisfy the requirements of this ordinance prior to securing the signature of the FOG Program Coordinator on the business license application.

(c) Prior to installation of any required GCE, all proposed GCE shall meet the City FOG Program Coordinator's or Building Official's approval as stated in this FOG Ordinance. Only specifically FOG Program approved GCE and fixtures can be installed or connected to the grease waste line.

(d) All of the FPEs 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. No sanitary wastewater (black water) or storm water shall be plumbed to the GCE.

(e) Gravity grease interceptors or grease traps will be installed and connected whereas to be easily accessible for inspection, cleaning, and removal of grease at any time.

(f) Any newly constructed FPE applying for a business license must satisfy the requirements of Section 23-509, as verified by inspection from the City's FOG Program personnel, prior to securing the signature of the FOG Program Coordinator for issuance of a business license.

(g) All new FPE construction shall meet the applicable requirements of Section 23-511 or Section 23-513 (a) through (i) for GCE as required by the City. All GCE and GGI's must be approved by the City of Panama City's Planning and zoning or building official.

(h) New Multi-Unit (Strip Mall) Facilities: 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 grease waste line will be for the kitchen area, or potential kitchen area, of each unit. The kitchen area, or potential kitchen area, grease waste 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 and appliances, such as but not limited to: 3-compartment sink, 2-compartment sink, pre-rinse sink, mop sink, dishwasher, and hand wash sink.

(1) New multi-unit facility, or new “strip mall” facility, owners shall contact the FOG Program 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 grease wastewater lines for kitchen and sanitary wastewater for each “individual” unit. In addition, the plans shall identify “stub-out” locations to accommodate a minimum ~~4,000~~ 750-gallon gravity grease interceptor for each unit of the multi-unit facility, or provide a larger capacity grease interceptor that could be shared by multiple FPEs in the strip mall. Proposals for multiple FPEs connected to one gravity grease interceptor or series of gravity grease interceptors must be approved by the FOG Program prior to construction. A copy of the maintenance agreement shall be filed with the FOG Coordinator for any GCE that isn’t owned AND operated by the same entity. New multi-unit facility, or new “strip mall” facility owners shall consider suitable physical property space and sewer gradient that will be conducive to the installation of an exterior, in-ground gravity grease interceptor when determining the building location.

(2) FPEs located in a new multi-unit facility shall have a minimum of a 1,000-gallon gravity grease interceptor installed, unless that FPE is identified as a Class 1 facility. Sanitary wastewater, or black water, shall not be connected to GCE.

(3) Upon installation, the sanitary wastewater line and grease wastewater line “stub-outs” for each separate unit shall be identified (marked). The sanitary waste water line “stub-out” shall be painted green and the grease wastewater line “stub-out” shall be stenciled with the letters “GWL”.

(i) Alternative Grease Control Equipment: On a case by case basis, at the discretion of the Director, alternative grease control equipment may be considered and approved for installation at a FPE. The alternative grease control equipment must control FOG discharges from a FPE and be maintained as outlined in this FOG Ordinance. Alternative grease control equipment will not be considered for new building construction.

(j) Final Approval of Grease Control Equipment: All new FPE’s and FPE’s 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 of Panama City’s FOG Program, or the City’s authorized representative. No work shall be hidden or covered prior to approval by the FOG Program. Failure of the FPE to contact the FOG Program to conduct the inspection of the new GCE will result in enforcement action.

## Sec. 23-510 – Grease Control Equipment Sizing

(a) Minimum acceptable size of grease control equipment shall be sized in accordance with the Florida Administrative Code 64E-6.013 and reviewed by the city and/or city's agent for proper sizing for determining each FPE Classification. The classification are as follows:

- (1) Class 1: 20-gpm/40 pound Grease Trap (Hydro-Mechanical Grease Interceptor or HGI)
- (2) Class 2: 750-gallon Gravity Grease Interceptor (GGI)
- (3) Class 3: 1,000-gallon Gravity Grease Interceptor (GGI)
- (4) Class 4: 1,250-gallon Gravity Grease Interceptor (GGI)
- (5) Class 5: 1,250-gallon Gravity Grease Interceptor (GGI)

\*\*\* Automatic Grease Removal Devices (GRD) sized in accordance with this ordinance by way of a GPM calculation can be used for a Class 1 and Class 2 facilities. This device is applicable for renovations and remodels only. This device is not applicable for new building construction. Devices must hold at a minimum PDI G-101 certification to be used in the City of Panama City.

(b) *Oil, water separator (OWS):* An oil, water separator is a device designed to separate gross amounts of oil and suspended solids from the wastewater effluents of oil refineries, petrochemical plants, chemical plants, pest control, auto mechanic facilities and other oily water sources. The name is derived from the fact that such separators are designed according to standards published by the American Petroleum Institute. Oil, water separators shall be maintained and serviced in accordance with this ordinance with OWS manufactures recommended service schedule unless otherwise permitted. At a minimum an OWS must be serviced every Ninety 90 days. No decanting will be permitted. Oil and water separators shall observe the same requirements as published in this ordinance for "Gravity Grease Interceptors" where the allowable limit of FOG discharge does not exceed 150mg/l. Pumping and servicing can only be done by a waste hauler / plumbing contractor licensed and or certified by the State of Florida to perform such work as cited in this FOG Ordinance. Sizing is as published in the "Florida Plumbing Code" Chapter 10 Traps, Interceptors and Separators 1003.4 through 1003.4.2.2 using 6 cubic feet for the first 100 square feet of area to be drained, plus 1 cubic foot for each additional 100 square feet of area to be drain to separator.

(c) The City or City's agent will review information received from the completed "FOG Producing Establishment (FPE) Fats, Oils, and Grease Inquiry Form" / Facility survey. The City will make a decision to approve, or require additional grease interceptor volume, based on the type of FPE, the number of fixture units, additional calculations and considerations. Each gravity grease interceptor tank capacity shall not exceed 1,250 gallons. In the event that the gravity grease interceptor calculated capacity needs to exceed 1,250 gallons, the FPE shall install any additional interceptor(s) of the appropriate size in series.

(d) Gravity 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 or a 1% downstream slope, whichever is greater.

(e) Grease control equipment must remove fats, oils, and grease at or below the City of Panama City's surcharge concentration level of 150mg/l. Failure to comply will require enforcement action.

#### Sec. 23-511 – New Gravity Grease Interceptor Design and Installation

Design and installation specifications are available from the FOG Program Coordinator's office.

#### Division 4. Maintenance, Management, Abandonment and Inspections

#### Sec. 23-512 – Gravity Grease Interceptor Cleaning and Maintenance Requirements

(a) Partial pump of interceptor contents or on-site pump and treatment of interceptor contents will not be allowed due to reintroduction of fats, oils, and grease to the interceptor. In no way shall the pumped material be returned to any private or public portion of the sanitary sewer collection system. All grease waste haulers and procedures for pumping grease interceptors shall comply with the City of Panama City Chapter 23, Article IX – Fats, Oil and Grease Control Ordinance.

(b) Gravity grease interceptors must be pumped-in-full (total pump of all contents) when the total accumulations of surface FOG reaches 6"(including floating solids) and settled solids reaches 8" and or when solids reach twenty-five percent (25%) of the grease interceptor's inlet liquid depth. This criterion is referred to as the "25 Percent Rule". At no time shall the cleaning frequency exceed 90 days unless approved in writing by the City. Failure to meet these requirements shall result in enforcement action. Approval will be granted on a case by case situation with submittal by the FPE documenting proof that a reduced cleaning frequency will meet the requirements of this FOG Ordinance. Some FPEs may need to consider a more frequent pumping schedule to meet this requirement. A City approved manifest of gravity grease interceptor cleaning/maintenance, and an FPE gravity grease interceptor self-monitoring checklist shall be maintained onsite at the FPE and provided to the City upon request. These documents need to be provided to the City for review before consideration for approval can be granted for a cleaning frequency to exceed 90 days.

(c) The gravity grease interceptor's influent tee and effluent tee will be inspected during cleaning and maintenance and the condition noted by the grease waste hauler's company or individual conducting the maintenance. Influent and effluent tees that are loose, defective, or not attached must be repaired or replaced immediately. Grease waste haulers or individuals conducting any maintenance or pumping will use caution to not damage or dislodge tees, or cause other grease interceptor component damage. Any repairs to the grease interceptor shall be documented and kept on file at the FPE.

(d) All gravity grease interceptors must have access manholes over the influent tee and effluent tee 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). The manholes are to be readily accessible for inspection by the City.

(e) Gravity grease interceptor waste must be hauled offsite and disposed of, processed, or recycled at an approved location in accordance with applicable laws. All disposal of grease interceptor waste must meet the requirements of City of Panama City's

Chapter 23, Article IX – Fats, Oil and Grease Control Ordinance. City approved manifests must be used and properly completed.

(f) Gravity grease interceptors must be “certified” annually by a City certified grease waste hauler or City certified plumber. A Gravity Grease Interceptor Certification (Form A) must be properly completed and submitted to the City annually.

(g) The City may mandate the FPE to require the grease waste hauler to contact the City’s FOG Program by telephone at least 24 hours prior to any cleaning, pumping, maintenance, inspection, or certification of the grease interceptor. The City reserves the right to be present to inspect all maintenance.

(h) Responsibility – Maintaining the gravity grease interceptor(s) and (PLS’s) Private lift stations including complete pumping of contents at the required frequency and insuring proper components are installed, is the responsibility of the user/owner. Commercial property owners shall ensure that lease agreements identify the responsible party for proper maintenance to control wastewater discharged from their property.

#### Sec. 23-513 – Grease Trap (Hydro-Mechanical Grease Interceptor) Sizing, Installation, and Maintenance

(a) All grease traps shall have a City of Panama City approved, properly sized, installed and vented flow control device. Failure to have the flow control device and venting will be considered a violation. The flow control device shall be installed in such a manner whereas to remain visible for future inspections and servicing.

(b) All new FPEs that are allowed to install grease traps must have City written approval prior to starting operations.

(c) A grease trap’s minimum size requirement is 20 gpm/40 pound capacity.

(d) At the discretion of the FOG Program, alternative grease control equipment may be considered for installation. The alternative grease control equipment must control FOG discharges and be maintained as outlined in this FOG Ordinance.

(e) No automatic dishwasher shall be connected to a grease trap unless it has been specifically sized and approved by the FOG Program. Grease traps approved by the City for dishwasher connection must be provided with a City of Panama City approved and properly sized/installed flow control device to the inlet side of the grease trap to prevent overloading of the grease trap and allow for proper grease trap operation.

(f) No waste food grinder shall be connected to a grease trap.

(g) No automatic drip or feed systems for additives are allowed to be connected to a grease trap.

(h) A single grease trap device shall be installed for each significant kitchen fixture unit (i.e. each 3 compartment sink), unless the FOG Program Coordinator provides written approval for multiple fixtures to be connected to the grease trap. The City must approve the number of grease traps and connections to the grease trap.

(i) Grease traps must have the Plumbing Drainage Institute (PDI) certification, and be installed as per manufacturer’s specifications and this FOG Ordinance.

(j) The flow control device orifice(s) shall not be removed, enlarged, or modified.

(k) Grease traps will be completely cleaned of fats, oils, and grease and food solids at a minimum of every Ninety (90) days by an approved waste hauler. If the FOG and food solids content of the grease trap are greater than 25%, the grease trap must be cleaned as frequently as needed to prevent 25% of capacity being occupied with FOG and food

solids. A written record of grease trap cleaning and maintenance shall be maintained onsite at the FPE and provided to the City upon request.

(l) Grease trap waste shall be sealed or placed in a container to prevent leachate from leaking, and then disposed of in the solid waste or hauled offsite by a grease waste hauler or plumber to an approved disposal location. In no way shall the pumped material be returned to any private or public portion of the sanitary sewer collection system or disposed of in the environment. All grease waste haulers, plumbers, and procedures for pumping grease traps shall comply with the City of Panama City's Chapter 23, Article IX – Fats, Oil and Grease Control Ordinance.

(m) Grease trap waste shall not be mixed with yellow grease in the grease recycle container. Any grease trap waste may be disposed of in an approved trash receptacle as long as it is in a solid state when doing so and contained in a plastic bag or drum liner. A solid state can be achieved by using an absorbing agent such as "Oil Dry" or any dry agent for the purpose of oil clean up.

(n) Grease traps must be "certified" annually. See Section 23-503 (f).

(o) The City may mandate the FPE to require the grease waste hauler/plumber or FPE owner to contact the City's FOG Program by phone at least 24 hours prior to any cleaning, pumping, maintenance, inspection, or certification of the grease trap. The City has the right to be present to inspect all maintenance.

#### Sec. 23-514 – Best Management Practices and Accidental Discharge Prevention

FOG Producing Establishments (FPE's) shall post and implement required Best Management Practices (BMPs) in all employee areas to help prevent the discharge of fats, oils, and grease from their facility to the City sanitary sewer system. Food service establishments( FSE's) and (ISE's) 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. Failure to implement and comply with BMPs and Accidental Discharge Prevention is in violation of this FOG Ordinance. Examples of BMPs include, but are not limited to:

(a) Recycle waste cooking oil; dispose in grease recycle bin or container. DO NOT pour any grease into sinks, floor drains, or mop sinks, lavatories, or environment.

(b) Post "NO GREASE" signs above all kitchen sinks and dishwashers. These signs are available at the FOG Program office.

(c) "Dry wipe", scraping into a trash container as much food particles and grease residue from pots, pans, and plates, etc. as possible.

(d) Use strainers in sink drains and floor drains to prevent large food particles, containers, and other elicit materials 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 material and dispose of it into a trash container. DO NOT wash oil or grease into drains!

(f) Dispose of food items in the trash. Food waste grinder use is prohibited in wastewater discharging to hydro-mechanical grease interceptors (grease traps) due to a buildup of solids in the GCE, stoppages, decreased efficiency, and the need to increase pumping frequency of the GCE. Food waste grinder use is discouraged in wastewater discharging to gravity grease interceptors.

(g) Post “BMPs signs” in the kitchen areas, educate, and train all employees on grease control and preventing sewer pipe clogs and sewer overflows. These signs are available at the FOG Program office.

(h) At a minimum, all FPE owners, managers, shift supervisors and employees must complete the training in their FOG BMP Portal. Certificates of completion must remain onsite for the duration of employment for each employee.

#### Sec. 23-515 - “Additives” Prohibitions for Use

(a) Additives include but are not limited to products that contain solvents, emulsifiers, surfactants, caustics, acids, enzymes, chemicals, hot water, and bacteria.

(b) This FOG Ordinance prohibits the use of additives (including automatic drip or feed systems) to cause FOG to pass through the user's plumbing and reform in the City's wastewater collection and conveyance system. The use of additives in an FPE will not be a substitute for regular cleaning, or pumping of GCE as required in this FOG Ordinance.

#### Sec. 23-516 – Private Sewer Line Cleaning of FOG Requirement

Any grease waste hauler, plumber, or contractor that cleans FOG from a food service establishment's private sewer lines must insure that the FOG and other debris cleaned from the private sewer lines does not cause an obstruction or blockage in the City's sanitary sewer system. Therefore, the FOG or other debris cleaned from the private sewer line should be “vactored” or removed. The grease waste hauler, plumber, or contractor shall immediately contact the City if FOG is “pushed” or “jetted” into the City sanitary sewer system to make the City aware of the FOG and debris at the specific location.

#### Sec. 23-517 – In Ground Grease Interceptor Abandonment

The property owner or authorized representative of a building utilizing an in ground gravity grease interceptor or hydro-mechanical grease interceptor (grease trap) shall notify the City of Panama City's FOG program within 30 days whenever a FPE meets the criteria for temporary or permanent abandonment of said interceptor as set forth in Section 23-517 (a) (1) or 23-517 (b)

(a) Temporary Abandonment

(1) An in-ground grease interceptor is considered to be temporarily abandoned if a FPE temporarily closes for business and the property owner intends to utilize the interceptor for another FPE in the same location.

(2) At the property owner's expense, the interceptor shall be completely pumped and the grease waste properly disposed of by a City of Panama City certified grease waste hauler.

(3) Once conditions of Section 23-517 (a) (1) through (2) have been met, the City of Panama City's FOG Program personnel shall be contacted to complete a pumping inspection for the temporary abandonment of an in ground interceptor. The completed grease waste hauler's manifest shall be available onsite for verification during the pumping inspection.

(4) Any noted noncompliant functional or plumbing components shall be repaired or replaced, followed by re-inspection from the City of Panama City's FOG Program personnel.

(5) Once the in ground grease interceptor has passed inspection, it shall be filled with water to prevent possible floatation.

(b) Permanent Abandonment

(1) An in ground grease interceptor is considered to be permanently abandoned when the building is remodeled such that the grease interceptor will not be used; or the building is replaced with a type of business that will not be required to utilize the grease interceptor; or when the property is condemned. An in ground grease interceptor considered to be permanently abandoned, shall be properly in accordance with Section 23-517 (b) (2) through (3), or demolished in place in accordance with Section 23-517 (b) (4). Abandonment permitting is required and shall issue by The Bay County Health Department.

(2) The in ground grease interceptor may be removed. Prior to removal, the interceptor shall be completely pumped and the waste properly disposed of by a City of Panama City certified grease waste hauler. Once the interceptor has been completely pumped, the City of Panama City's FOG Program personnel shall be contacted to complete an in ground grease interceptor pumping verification inspection. The grease waste hauler's manifest shall be available onsite for verification during the in ground interceptor pumping verification inspection. Service components remaining in place are not exempt from meeting the plumbing codes.

(3) After the interceptor has passed the pumping verification inspection by the City's FOG Program personnel, if no replacement is intended, the interceptor may be removed and the hole left by the removal of the grease interceptor shall be back filled with suitable backfill material. Once back fill requirements have been met, the City of Panama City's FOG Program personnel shall be contacted to complete an in ground grease interceptor abandonment final inspection.

(4) Alternatively, in lieu of removal, the interceptor can be demolished in place. The interceptor shall be completely pumped and the waste properly disposed of by a City of Panama City certified grease waste hauler. Once the interceptor has been completely pumped, the City of Panama City's FOG Program personnel shall be contacted for an in ground grease interceptor pumping verification inspection. The grease waste hauler's manifest shall be made available onsite during the in ground grease interceptor pumping verification inspection. Demolition of the interceptor shall not commence until the interceptor has passed the pumping verification inspection. The top cover over the interceptor shall then be crushed into the empty tank or removed. The bottom of the tank shall be ruptured. The sides of the interceptor shall then be crushed into the tank. The inlet and outlet plumbing shall be disconnected and the lines capped if not to be used.

a. Upon completion of crushing the interceptor in place, the FOG Program shall be contacted for an in ground grease interceptor abandonment semifinal inspection.

b. After passing the in ground grease interceptor abandonment semifinal inspection, the interceptor shall be back filled with suitable fill material.

c. Once backfill requirements of Section 23-517 (4) (b) have been met, the FOG Program shall be contacted for an in ground grease interceptor abandonment final inspection.

#### Sec. 23-518 – Right of Entry, Inspections, and Monitoring

The City, or their authorized representative, shall have the right to enter without notice the premises of FPEs or commissaries to determine whether the FPE or commissary is complying with the requirements of the City of Panama City's Chapter 23, Article IX – Fats, Oil and Grease Control Ordinance. FPEs or commissaries 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 FPE premises shall be a violation of this FOG Ordinance. As part City of Panama City's ethics and conduct policies, all or part of the inspection process including but not limited to video and audio recordings will be performed to ensure fair and impartial representation by the official performing the inspection. FPEs shall at no time falsify any document as it pertains to this Ordinance and if found to have occurred, suspension of service and / or penalties may be imposed.

(a) All gravity grease interceptors and grease traps shall be subject to review, evaluation, and inspection by the City or their authorized representative. The City can require at the property owner's expense, a video inspection of the inside of any interceptor and effluent waste lines to the City. Inspections will determine proper maintenance, changes in operation, proper records and files, ability of gravity grease interceptor or grease trap to prevent grease from entering the sewer system, and any other factors pertaining to the control of grease discharges to the City sewer system. The City can require notification to the FOG Program by phone 24 hours prior to any pumping, cleaning, maintenance, or certification of the GCE so the City can do a visual inspection of the total GCE. The City can require the FPE to schedule pumping of their interceptor (at the owner's/FPE's expense) if the City determines that the interceptor may be defective or there is chronic FOG obstruction in the downstream sewer from the FPE. City personnel, or their authorized representative, reserve the right to make determinations of gravity grease interceptor or grease trap condition, and adequacy based on review of all information regarding the interceptor's or trap's performance and can require increased cleaning frequency, additional maintenance, modification or replacement of the GCE. All records will be available on site for review by City personnel, or their authorized representative, for a period of 36 months. Copies shall be provided upon request from the City.

(b) The City may require that the FPE install monitoring or additional pretreatment equipment deemed necessary for compliance with the City of Panama City's Chapter 23, Article IX – Fats, Oil and Grease Control Ordinance.

#### Division 5. Violations and Enforcement

#### Sec. 23-519 – FOG Treatment, Disposal, and Resource Recovery Plan

The City may implement a FOG Treatment, Disposal, and Resource Recovery Plan (Plan). The plan may be implemented if problems continue with FOG disposal, FOG obstruction in the

sewer system, or inconsistent maintenance of FPE grease control equipment provided by grease waste haulers to prevent FOG discharges. The plan may include a Request for Proposal (RFP) for the treatment and disposal of FOG waste generated from the City of Panama City food service establishments. The RFP may 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 Panama City food service establishment gravity 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 or lower cost than the average market cost of GCE maintenance as determined by the City.

Sec. 23-520 – Violations and Enforcement Action / Enforcement Response Plan (ERP).

- (a) Enforcement action against the food service establishment may result from, but is not limited to, failure to clean or pump grease control equipment, failure to maintain grease control equipment including installation of a properly functioning influent/effluent tees and baffle(s), failure to install grease control equipment, failure to control FOG discharge from the FPE, failure to certify the gravity grease interceptor or grease trap, FPE responsible for sewer line obstruction, FPE responsible for a sanitary sewer overflow, and FPE use of additives so that FOG is diluted and pushed downstream of the FPE.
- (b) Whenever City personnel, or their authorized representative, determine that a gravity grease interceptor or grease trap is in need of installation, pumping, repairs, maintenance, or replacement, a Noncompliance Notification (NCN) or a Notice of Violation (NOV) will be issued stating the nature of the violation(s) and timeframe for corrective measures as stated in the ERP. A copy of the ERP is maintained at the FOG Inspector's office.
- (c) If the FPE fails to initiate corrective action in response to a NCN or NOV, a second notice will be issued and additional fees assessed. Fees may include compliance inspection fees, costs associated with service calls for sewer line blockages, line cleaning, camera trucks, line and pump repairs, including all labor, material and equipment. Further noncompliance will result in escalation in enforcement action as stated in the ERP.
- (d) Immediate discontinuance of Panama City Utilities services may be issued if the facility presents an imminent endangerment to the health and welfare of person or to the environment, causes stoppages or excessive City maintenance of the sanitary sewer system, causes significant interference with the wastewater treatment plant, or if the FPE is unwilling to comply after repeated attempt by the CITY to correct posed violation, and causes the City to violate any condition of its NPDES permit. Service shall be reinstated when such conditions have been eliminated and after payment of reconnection fees or other assessed fees.
- (e) In addition to any inspection or violation fees, any user who is found to have violated the City of Panama City's Chapter 23, Article IX – Fats, Oil and Grease Control Ordinance shall be fined not less than \$100.00 or more than \$1,000.00 for each offense. Each day on which a violation occurs or continues shall be deemed a separate and distinct

offense. In addition to the penalties provided in this subsection, the City may recover reasonable attorneys' fees, court costs, court reporters' fees, and other expenses of litigation by appropriate suit at law against the person found to have violated this article or the orders, rules, regulations and permits issued under this article.

(f) If inspections and field investigations determine that any pollutant, fats, oils, and grease interference or blockage in the POTW / storm water conveyance system (including the sewer system, a sewage pumping station, ~~or the~~ wastewater treatment plant, storm water inlet, canals and / or ditches ) is caused by a particular user, or food service establishment, then that user, or FPE, may be required to reimburse the City for all labor, equipment, supplies and disposal costs incurred by the City to clean the interference or blockage. The charges will be added to the user's or FPE's utility bill as determined by the Cost Recovery Program Table FORM # 1920. Failure to reimburse the City may result in termination of utility services.

(g) For all other violations not specifically mentioned above, the City will use the City of Panama City's FOG Producing Establishment Enforcement Response Plan (ERP) Deficiency / Violation quick reference table.

Secs. 23-521—23-530. - Reserved.

**PASSED, APPROVED, AND ADOPTED** at the regular meeting of the Commission of the City of Panama City, Florida on the 8th day of December, 2020.

**CITY OF PANAMA CITY, FLORIDA**

By \_\_\_\_\_  
Greg Brudnicki, Mayor

ATTEST:

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Brandy Waldron, Interim City Clerk-Treasurer