

DIVISION 4. GREASE MANAGEMENT**Sec. 27-225. Definitions and abbreviations.**

(a) **Definitions.** The definitions included here are specific to this division. Definitions of other terms used in this division are the same as those contained in Section 27-206 of this article.

Food service facility or facility means any business or food service facility which prepares, processes, and/or packages food or beverages for sale or consumption, on or off-site, with the exception of private residences. Food service facilities shall include, but are not limited to: food courts, food manufacturers, food packagers, restaurants, grocery stores, bakeries, lounges, hospitals, hotels, nursing homes, churches, schools, and all other food service facilities not specifically listed above.

Food service facility owner or owner means in the case of individual food service facilities, the owner or proprietor of the food service operation. Where the food service facility is a franchise operation, the owner of the franchise is the responsible person or entity. Where the food service facility operation is owned by a corporation, the corporate representative is the responsible entity. Where two or more food service facilities share a common grease interceptor, the owner shall be the individual who owns or assumes control of the grease interceptor or the property on which the grease interceptor is located.

GMP official means a member of the staff of the City's grease management program, appointed by the Director of Water Resources to implement a grease management program.

Gray water means all of the liquid contained in a grease interceptor that lies below the floating grease layer and above the food solids layer.

Grease means a material either liquid or solid, composed primarily of fat, oil and grease from animal or vegetable sources. The terms "fats, oils and grease (FOG)," "oil and grease" or "oil and grease substances" shall all be included within this definition.

Grease discharge permit (GDP) means a permit issued by the City of St. Petersburg authorizing the discharge of wastewater to the wastewater collection system from a food service facility.

Grease hauler means a person who collects the contents of a grease interceptor or trap and transports it to an approved recycling or disposal facility. A grease hauler may also provide other services to a food service facility related to grease interceptor maintenance.

Grease hauler permit (GHP) means a permit issued by the City of St. Petersburg authorizing a grease hauler to collect grease and to operate a grease hauling business in the City.

Grease interceptor means a device located underground and outside of a food service facility designed to collect, contain or remove food wastes and grease from the wastestream while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity. Interceptors shall be in conformance with the provisions of the Florida Plumbing Code.

Grease trap means a device located in a food service facility or under a sink designed to collect, contain or remove food wastes and grease from the wastestream while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity. Traps shall be in conformance with the provisions of the Florida Plumbing Code.

Registered hauler means a grease hauler registered with the GMP official in accordance with this ordinance who is authorized to act on behalf of a food service facility regarding inspection, disposal, records maintenance, and reporting requirements.

(b) Abbreviations. For the purposes of this division, the following abbreviations shall have the following designated meanings:

TABLE INSET:

- GDP Grease Discharge Permit
- GHP Grease Hauler Permit
- GMP Grease Management Program
- mg/L Milligrams per liter
- NOV Notice of Violation
- PDI Plumbing and Drainage Institute
- WRF Water Reclamation Facility

(Ord. No. 538-G, § 1, 6-20-02; Ord. No. 736-G, § 1, 6-16-05)

Sec. 27-226. Purpose and applicability.

(a) Purpose. This division establishes uniform permitting, maintenance and monitoring requirements for controlling the discharge of grease from food service facilities discharging into the City’s wastewater collection system and for regulation of commercial grease haulers operating within the City limits. The objectives of this ordinance are:

- (1) To prevent the introduction of excessive amounts of grease into St. Petersburg’s wastewater collection system.
- (2) To prevent clogging or blocking of the City’s sewer lines due to grease build-up causing backup and flooding of streets, residences and commercial buildings, resulting in potential liability to the City.
- (3) To implement a procedure to recover the costs incurred in cleaning and maintaining sewer lines and disposing of grease blockages.
- (4) To implement a procedure to recover costs for any liability incurred by the City for damage caused by grease blockages resulting in the flooding of streets, residences or commercial buildings.
- (5) To issue “grease discharge permits” (GDPs) to food service facilities requiring maintenance, monitoring, compliance, and enforcement activities.
- (6) To establish administrative review procedures and reporting requirements.
- (7) To establish fees for the recovery of costs resulting from the program established herein.

(8) To issue “grease hauler permits” (GHPs) to grease waste haulers operating within the City’s boundaries.

(9) To establish enforcement procedures for violations of any part or requirement of this division.

(b) Applicability. The provisions of this division shall apply to all food service facilities located within the municipal boundaries of the City of St. Petersburg. The provisions of this division shall also apply to all grease haulers providing service to any food service facility located within the City of St. Petersburg.

(Ord. No. 538-G, § 1, 6-20-02; Ord. No. 736-G, § 1, 6-16-05)

Sec. 27-227. Grease traps and interceptors.

(a) Requirements. All food service facilities are required to have a grease trap or grease interceptor properly installed in accordance with any and all applicable requirements of the Florida Plumbing Code.

(1) New facilities. Food service facilities which are newly proposed or constructed, or existing facilities which will be expanded or renovated to include a food service facility, where such facility did not previously exist, shall be required to install a grease interceptor or grease trap(s) according to the requirements of the Florida Plumbing Code and to operate and maintain the grease trap(s) or interceptor according to the requirements contained in this division.

(2) Existing facilities. Food service facilities shall be permitted to operate and maintain existing grease interceptors or grease traps provided their grease interceptors or grease traps are in efficient operating condition.

The City may require an existing food service facility to install a new grease interceptor or trap that complies with the requirements of the Florida Plumbing Code or to modify or repair any noncompliant plumbing or existing interceptor or trap within 30 days of written notification by the City when any one or more of the following conditions exist.

a. The facility is found to be contributing oils and grease in quantities sufficient to cause line stoppages or necessitate increased maintenance on the wastewater collection system.

b. The facility does not have a grease interceptor or trap.

c. The facility has an irreparable or defective grease interceptor or trap.

d. Remodeling of the food preparation or kitchen waste plumbing system is performed which requires a plumbing permit to be issued by the City of St. Petersburg.

e. The facility is sold or undergoes a change of ownership.

f. The facility does not have plumbing connections to a grease interceptor or trap in compliance with the requirements of this division.

g. The facility fails to submit a completed application form for a GDP within 30 days after the date of the receipt of an application form by the City of St. Petersburg.

h. The facility has not operated as a food service facility for 12 consecutive months prior to

receiving the GDP application form.

- (b) Plumbing connections.** Grease interceptors or traps shall be installed in accordance with the Florida Plumbing Code which requires that such interceptor or trap be located in the food service facility's lateral sewer line between all fixtures which may introduce grease into the sewer system and the connection to the City's wastewater collection system. Wastewater from sanitary facilities and other similar fixtures shall not be introduced into the grease interceptor or trap under any circumstances.
- (c) Grease traps.** Grease traps shall be installed in accordance with the Florida Plumbing Code and shall meet the following criteria:
- (1) Flow control device. Grease traps shall be equipped with a device to control the rate of flow through the unit. The rate of flow shall not exceed the manufacturer's rated capacity recommended in gallons per minute for the unit. Each food service facility is responsible for maintaining appropriate flow control devices.
 - (2) Venting. The flow-control device and the grease trap shall be vented in accordance with the Florida Plumbing Code current edition. The vent shall terminate not less than six inches above the flood-rim level or in accordance with the manufacturer's instructions. Each food service facility is responsible for maintaining appropriate venting of the grease trap.
 - (3) Inspection, cleaning and maintenance. Each food service facility shall be solely responsible for the cost of trap installation, inspection, cleaning, and maintenance. Each food service facility may contract with a grease hauler who has been permitted by the City for cleaning services or it may develop a written protocol and perform its own grease trap cleaning and maintenance procedures. Cleaning and maintenance must be performed when the total volume of captured grease and solid material displaces more than 25 percent of the total volume of the trap. Each food service facility shall determine the frequency at which their grease trap shall be cleaned, but all grease traps shall be opened, inspected, cleaned, and maintained at a minimum of once per week.
 - (4) Inspection. Grease traps shall be inspected by a GMP official as necessary to assure compliance with the GMP and to assure proper cleaning and maintenance schedules are being adhered to.
 - (5) Repairs and replacement. The food service facility shall be responsible for the cost and scheduling of all repairs or replacement to its grease trap(s). Repairs or replacement required by a GMP official shall be completed within 30 calendar days after the date of written notice of required repairs or replacement is received by the facility. The City may authorize an extension of time to achieve compliance for an additional 60 days. If additional time is necessary to come into compliance, the food service facility may enter into an administrative order establishing a schedule for bringing the food service facility into compliance within 24 months from the date of the original notice.
 - (6) Disposal. Grease and solid materials removed from a grease trap shall be disposed of in the solid waste disposal system.
 - (7) Record keeping. The food service facility shall maintain records of the date and time of all cleaning and maintenance of each grease trap in a bound logbook and shall make this book available for inspection by the GMP official on demand. The food service facility shall also

maintain the written protocol concerning grease trap cleaning and maintenance procedures and shall make this available to the GMP official on demand.

(d) Grease interceptors. Grease interceptors shall be designed and installed in accordance with the Florida Plumbing Code. Each food service facility shall operate and maintain its grease interceptor in accordance with the following criteria:

- (1) Inspection, pumping and maintenance. Each food service facility shall be responsible for the costs of installing, inspecting, pumping, cleaning, and maintaining its grease interceptor. All food service facilities that have grease interceptors shall utilize a grease hauler who has been permitted by the City for pumping services. Pumping services shall include the initial complete removal of all contents, including floating materials, wastewater, and bottom sludges and solids from the interceptor.

The return of gray water back into the grease interceptor from which the wastes were removed is allowable only for food service facilities which have not obtained a variance from the monthly pumping requirement, provided that grease and solids are not returned to the interceptor and further provided that the grease hauler has written authorization from the food service facility to return the gray water. Grease interceptor cleaning shall include scraping excessive solids from the walls, floors, baffles and all pipe work. The grease hauler shall wait at least 20 minutes to allow the interceptor waste to separate in the truck tank before attempting to re-introduce the gray water to the interceptor. The volume of gray water returned to the interceptor shall not exceed 75 percent of the volume of the interceptor. It shall be the responsibility of each food service facility to inspect its grease interceptor during the pumping procedure to ensure that the interceptor is properly cleaned out and that all fittings and fixtures inside the interceptor are in working condition and functioning properly.

- (2) Interceptor pumping frequency. Each food service facility shall have its grease interceptor(s) pumped at a minimum frequency of once every calendar month. There shall be a minimum period of three weeks between each required pumping. In addition to required monthly pumping, each food service facility shall determine an additional frequency at which its grease interceptor(s) shall be pumped according to the following criteria:

- a. When the floatable grease layer exceeds six inches in depth as measured by an approved dipping method, or;
- b. When the settleable solids layer exceeds eight inches in depth as measured by an approved dipping method, or;
- c. When the total volume of captured grease and solid material displaces more than 25 percent of the capacity of the interceptor as calculated using an approved dipping method, or;
- d. When the interceptor is not retaining/capturing oils and greases.

- (3) Variance procedure. If a food service facility determines that monthly pumping of their grease interceptor is unnecessary in order to remain in compliance with the criteria of paragraph (2) above, the facility may make written application for a variance from the monthly pumping requirements to the City. The variance procedure shall be as follows:

- a. The food service facility shall submit an application for a variance on a form provided by the

City along with the appropriate variance fee. The application shall include the next date and time the facility intends to have its interceptor pumped and cleaned and an affidavit from the applicant stating that it shall permit no further pumping or cleaning of the interceptor until the City has completed its evaluation and notified the applicant of the appropriate pumping frequency.

- b. A GMP official shall inspect the interceptor on the specified date and time during or after the pump-out procedure.
- c. If the interceptor is in good working condition during the initial inspection, the GMP official shall re-inspect the interceptor approximately 30 days after the initial inspection.
- d. After the initial re-inspection, the GMP official shall inspect the interceptor at intervals of approximately every 14 working days to determine the grease and solids level using a dipping method approved by the City.
- e. If during re-inspection the level of grease reaches six inches or the level of solids reaches eight inches, the GMP official shall use the number of days from the initial pumping date to the final re-inspection date as the new pumping frequency requirement to be included in the variance granted.
- f. If, at a re-inspection, the level of grease exceeds six inches or the level of solids exceeds eight inches, the GMP official shall use the number of days from the initial pumping date to the previous re-inspection date as the new pumping frequency requirement to be included in the variance granted.
- g. Where two or more interceptors are located at the same facility on different laterals, one variance application process shall apply to both interceptors and different variances may be determined for each interceptor.
- h. Where two or more interceptors are connected in series on the same lateral, one variance application process shall apply to both interceptors. The two or more interceptors shall all be initially pumped on the same day and the variance for the first interceptor shall be determined when the grease or solids criteria are reached. The first interceptor shall not be pumped at this time and the variance procedure shall continue to monitor the second interceptor until either the grease or solids criteria are reached. At this time both interceptors must be pumped and the new variances for the first and second interceptors will be issued.
- i. If there is any evidence that the interceptor has been tampered with or pumped out during the variance procedure, the procedure will be declared null and void and a new application and fee will be required from the food service facility to re-start the procedure.
- j. The determined variance shall be in force until there is either a change in ownership of the food service facility or extensive remodeling of the kitchen occurs which requires a City plumbing permit to be issued.
- k. In any event, pump-out and cleaning of an interceptor shall be required at least once every 180 days with no return of gray water to the interceptor.
- l. Failure to provide complete pump-out of interceptor at the required intervals may result in a revocation of the approved variance.

- (4) **Inspection.** Grease interceptors shall be inspected by a GMP official as necessary to assure compliance with the GMP and to determine if proper cleaning and maintenance schedules are being adhered to. If, upon inspection, an interceptor is found to have six inches or more of grease or eight inches or more of solids, the food service facility shall be required to have the interceptor pumped out within 72 hours of the inspection date. Failure to pump-out the interceptor shall constitute a violation of this division.
- (5) **Repairs and replacement.** Each food service facility shall be responsible for the cost and scheduling of all repairs to or replacement of its grease interceptor(s). Repairs or replacement required by a GMP official shall be corrected within 30 calendar days after the date of written notice of requiring the repairs or replacement is received by the facility. The City may authorize an extension of time to achieve compliance for an additional 60 days. If additional time is necessary to come into compliance, the food service facility may enter into an administrative order establishing a schedule for bringing the food service facility into compliance within 24 months from the date of the original notice.
- (6) **Disposal.** Wastes removed from each grease interceptor shall be disposed of at a facility permitted to receive such wastes or at a location designated by the City of St. Petersburg for such purposes. Neither grease nor solid materials removed from interceptors shall be returned to any grease interceptor, private sewer line or to any portion of the City's wastewater collection system or water reclamation facilities without prior written permission from the Director.
- (7) **Record keeping.** Each food service facility shall maintain a logbook in which a record of all interceptor maintenance is entered, including the date and time of the maintenance, details of any repairs required and dates of repair completion and any other records pertaining to the interceptor. This logbook shall be made available for review upon request by the GMP official. Each food service facility shall also maintain a file on-site which contains the following information:
 - a. The (as-built) drawings of the plumbing system, if available. If as-built drawings are not available, other drawings of sufficient detail to depict the plumbing layout of the food service facility.
 - b. A copy of the current grease disposal permit.
 - c. Copies of quarterly reports.
 - d. Receipts from grease pumpers, plumbers, parts suppliers, etc.
 - e. Log of pumping or cleaning activities.
 - f. Log of maintenance activities.
 - g. Hauler information.The file shall be available at all times for inspection and review by the GMP official. The failure to maintain complete records or to provide such records to the GMP official upon request constitutes a violation of this division.
- (8) **Quarterly reporting.** Each food service facility shall submit a quarterly report to the City on a form provided by the City. Reports shall be submitted on or before the last day of March, June, September and December in each year. Each report shall record the number of times the interceptor

has been cleaned since the last report and shall indicate the depth, in inches, and the volume of liquids and solids removed on each occasion and the name and address of the grease hauler. Each report shall include copies of either the grease hauler's receipt or manifest. If a variance has been granted, the alternate cleaning frequency shall also be reported. Each report shall also note any repairs that have been made to the interceptor or trap including the dates that these repairs were effected. Reports shall be submitted to the address provided in the permit and shall be deemed to be late and subject to a late fee if they are received by the City more than 30 days after the end of each month specified above.

- (e) **Additives.** Any chemicals, enzymes, emulsifiers, live bacteria or other grease cutters or additives used for purposes of grease reduction shall be approved by the GMP official prior to their addition to grease traps or grease interceptors by the food service facility or the grease hauler. MSDS sheets and any other applicable information concerning the composition, frequency of use and mode of action of the proposed additive shall be sent to the City together with a written statement outlining the proposed use of the additive(s). Based upon the information received and any other information solicited from the potential user or supplier, the City shall permit or deny the use of the additive in writing. Permission to use any specific additive may be withdrawn by the City at any time.
- (f) **Alternative grease removal devices or technologies.** Alternative devices and technologies such as automatic grease removal systems shall be subject to written approval by the Director prior to installation. Approval of the device shall be based on demonstrated (proven) removal efficiencies and reliability of operation. The City may approve these types of devices depending on manufacturer's specifications on a case by case basis. The food service facility may be required to furnish analytical data demonstrating that grease discharge concentrations to the City's wastewater collection system will not exceed the limitation established in Section 27-211(a)(7) of the City Code.
- (g) **Registered grease haulers.** A food service facility may authorize a grease hauler to act on its behalf regarding inspection, disposal, records maintenance, and reporting pursuant to paragraphs (1), (4), (6), (7), and (8) of this section, provided the grease hauler has registered with the City and meets the following conditions:
- (1) Grease hauler has completed and submitted a grease program registration form to the department containing the following information:
 - a. List of every food service facility authorizing grease hauler to perform the inspection, disposal, record keeping, and reporting requirements.
 - b. List of all trucks or vehicles used to clean interceptors.
 - c. List of all drivers or personnel used to clean interceptors.
 - d. List of all disposal sites.
 - (2) Grease hauler agrees to maintain all records regarding all maintenance activities for a period of three years and to make such records available for review by the GMP official.
 - (3) Grease hauler submits quarterly reports detailing interceptor cleaning for each food service facility along with a statement attesting to the accuracy of the information contained in the reports. The report shall include the following information:

- a. Estimated depth of grease and solids removed from interceptor.
- b. Any defects in the grease interceptor.
- c. Date of pump-out and notation of whether or not gray water was returned to the interceptor.
- d. Capacity of interceptor tank.

(4) Grease hauler certifies that grease was disposed of in accordance with the provisions of this ordinance.

(5) Grease hauler attends a compliance review workshop provided by the City. Grease hauler shall also agree to attend subsequent workshops regarding the requirements of this ordinance on an annual basis and certifies that it has instructed all drivers and other appropriate personnel responsible for cleaning interceptors or submitting reports.

(h) Use of registered hauler. A food service facility who has authorized a registered grease hauler to act on its behalf is not relieved of its responsibilities pursuant to this division. However, in the event reports are not timely submitted or are incomplete, the GMP official will attempt to first contact the registered hauler and request that the deficiencies be corrected.

(Ord. No. 538-G, § 1, 6-20-02; Ord. No. 736-G, § 1, 6-16-05)

Sec. 27-228. Food service facility permitting program.

(a) Permitting requirements for food service facilities. Each food service facility shall be evaluated to determine whether it falls within the definition of a significant industrial user (SIU). Facilities classified as SIUs shall be subject to permitting as provided in Section 27-213 et seq. All other food service facilities shall be required to apply for and obtain a “grease discharge permit” (GDP), from the City. The City shall approve, deny, or approve with special conditions all applications for GDPs in accordance with the policies and regulations established in this division. The GDP shall be in addition to any other permits, registrations, or occupational licenses which may be required by federal, state, or local law. It shall be a violation of this division for any food service facility identified by the City to discharge wastewater containing fats, oils, and grease to the City’s wastewater collection system without a current GDP.

(b) Application form. The City shall provide an application form for a GDP. The appropriate form shall be sent to all food service facility owners identified by the City. All food service facilities required under the terms of this program to obtain a GDP shall submit a completed application form for a GDP to the City at the address shown on the form within 30 calendar days of receipt of the form. Each application form submitted shall include the following information:

- (1) Name, address, telephone number and location, (if different from the mailing address) of applicant, owner of the premises (if different from the tenant when property is leased) from which fats, oils and grease are discharged, and the name of a representative duly authorized to act on behalf of the food service facility.
- (2) A description of the activities, facilities, and plant processes on the premises, including a list of all equipment, raw materials and chemicals used or stored at the facility. Material safety data

sheets (MSDSs) of all such chemicals shall be included.

- (3) A drawing in sufficient detail to show the location of all kitchen equipment that produces wastewater, and all sewers, floor drains, sewer connections, grease interceptors and appurtenances in the user's premises if known or it may be readily ascertained.
 - (4) Number of employees, number and times of shifts, and hours and days of facility operation.
 - (5) Copies of recent water bills.
 - (6) Details of all grease interceptor or grease trap maintenance within the past year.
 - (7) A signed statement from the food service facility owner that the information provided is accurate, and that the applicant agrees to abide by the regulations contained in this division, as well as any other applicable federal, state or local regulations governing the food service facility.
 - (8) Any other information determined by the Director to be necessary in order to evaluate the GDP application.
- (c) Facilities with shared interceptor.** In addition to each food service facility whose facility is plumbed to a shared interceptor, the owner of an interceptor used by multiple food service facilities shall be issued a separate permit requiring compliance with this division. All food service facilities connected to the shared interceptor shall be named in the permit and shall be supplied a copy of the City's Fats, Oil, and Grease Best Management Practices Manual and shall be subject to inspections by GMP officials.
- (d) Pre-permit inspection procedure.**
- (1) Individual food service facility. Once a completed application form has been received, the food service facility will be inspected prior to the issuance of the GDP. During the pre-permit inspection, the information contained in the application form will be verified, the average daily potable water use will be calculated and the permit fee determined, and the grease interceptor or trap will be inspected. If all information is verified and the grease interceptor or trap is in proper working condition, a GDP will be issued together with a copy of the City's information document entitled "Fats, Oil, and Grease Best Management Practices Manual." If the grease interceptor or trap requires any maintenance or repairs, or incorrect information has been given, the GMP official shall provide a written notice to correct any deficiencies, including a required time schedule for repairs to be effected prior to a second pre-permit inspection. Second pre-permit inspections shall be performed after a minimum of 30 calendar days have elapsed to allow for corrective action by the food service facility to occur. If the facility is not in compliance at the second pre-permit inspection, charges and fees will be levied for future inspections.
- An application for a permit shall be granted with conditions or denied within 60 days after the date of the last pre-permit inspection in which the applicant's facility is in compliance.
- (e) Grease discharge permit.** The following criteria apply to all GDPs:
- (1) Each GDP shall be effective for a three-year period and shall have an effective and an expiration date.

- (2) The GDP must be displayed in a conspicuous place where it can be seen by the staff of the food service facility and a copy of the GDP must be kept in the records file.
 - (3) The GDP shall be issued to a specific user for a specific operation. GDP's will vary in content and requirements depending on the class of the food service facility and the type of grease removal devices(s) installed. A GDP shall not be transferred or sold to a new owner under any circumstances. A new owner is required to apply for a new GDP.
 - (4) An application for renewal of the GDP shall be submitted at least 60 days prior to the expiration date of the existing GDP by each applicant wishing to continue to discharge into the wastewater collection system. Failure to submit applications in a timely manner shall constitute a violation of this division.
 - (5) The terms and conditions of the GDP are subject to modification by the City during the term of the permit, if limitations or requirements in this program are modified. The user shall be informed of any proposed changes in the issued permit at least 60 days prior to the effective date of the change(s). Any changes or new conditions in the GDP shall include a reasonable schedule for achieving compliance.
- (f) Entry.** Each food service facility shall allow the GMP official and other duly authorized employees or agents of the City bearing proper credentials and identifications access at all reasonable times to all parts of the premises for the purpose of inspection, observation, records examination, measurement, sampling and testing in accordance with the provisions of this division. The refusal of any food service facility to allow the GMP official entry to or upon the facility's premises for purposes of inspection, sampling effluents or inspecting and copying records or performing such other duties as shall be required by this division shall constitute a violation of this division. The Director may seek a warrant or use such other legal procedures as may be advisable and reasonably necessary to discharge his duties pursuant to this division.
- (g) Inspection.** All food service facilities shall be inspected as follows:
- (1) Pre-permit inspections. Pre-permit inspections shall be conducted by GMP officials as outlined in Section 27-228(c) above.
 - (2) Inspections. The GMP official shall inspect food service facilities on both an unscheduled and unannounced basis or on a scheduled basis after a GDP has been issued to verify continued compliance with the requirements of this division. The GMP official shall also determine if the practices contained in the "Fats, Oil and Grease Best Management Practices Manual" issued to the facility have been implemented. All food service facilities with current GDPs shall be inspected. Inspections shall include all, equipment, food processing and storage areas and shall include a review of the processes that produce wastewater discharged from the facility through the grease interceptor/trap. The GMP official shall also inspect the interceptor/trap maintenance logbook and file, other pertinent data, the grease interceptor/trap and may check the level of the interceptor/trap contents and/or take samples as necessary. The GMP official shall record all observations in a written report. Any deficiencies shall be noted, including but not be limited to:
 - a. Failure to properly maintain the grease interceptor or trap in accordance with the provisions of the grease discharge permit and this division.
 - b. Failure to report changes in operations, or wastewater constituents and characteristics.

- c. Failure to report pumping activities or keep copies of manifest forms or receipts.
- d. Failure to maintain logs, files, records or access for inspection or monitoring activities.
- e. Failure to obtain or renew the oil and grease discharge permit in a timely manner.
- f. Any other inconsistency with the program that requires correction by the food service facility concerned.
- g. Inability of existing grease interceptor or grease traps to prevent discharge of grease into sewer system as evidenced by build-up of grease downstream of the grease interceptor or trap.

If any deficiencies are recorded by the GMP during an inspection, the GMP official shall provide the food service facility a written notice to correct the deficiency within 30 calendar days, and a tentative date for a first re-inspection.

- (3) Re-inspections. The GMP official shall re-inspect food service facilities which received deficiency notices after the original inspection. The GMP official shall inspect any repairs or other deficiencies and shall provide written notice of compliance or non-compliance as the case may be. In the event that the food service facility has returned to compliance with all of the deficiencies, there shall be no charge for the re-inspection.

In the event of continuing non-compliance, successive re-inspections will be scheduled and appropriate fees shall be charged to the food service facility concerned for the first and all successive re-inspections. A first re-inspection shall be performed after a minimum of 30 calendar days have elapsed to allow for corrective action by the food service facility to be completed.

(h) Administrative order. Upon written request of a food service facility and the payment of the administrative order fee, the City may enter into consent agreements, compliance agreements, assurances of voluntary compliance, or other similar document (each referred to as “administrative order”) establishing an agreement with any person responsible for non-compliance. Such documents will include specific actions to be taken by the person to correct the non-compliance within a time period not to exceed 24 months as specified by the document. Such administrative order shall be judicially enforceable. Failure to comply with the provisions of an administrative order shall constitute a violation of the City Code. An administrative order may include, but shall not be limited to, the following items:

- (1) Required corrective actions, including, but not limited to, submittal of records for interceptor maintenance, immediate pump-out of the grease interceptor, or establishment of an ongoing contract with a permitted grease hauler. When required by the City, the facility manager and/or other designated employee shall attend an educational program approved by the City. This program will cover kitchen practices, food handling and waste disposal procedures to minimize loading on the grease interceptor, as well as explaining grease interceptor design, operation and maintenance.
- (2) Requirements for submittal of plans for installation or upgrade of grease interceptors, including time frames for preparation of plans, acquisition of necessary equipment, initiation of construction (including time for permit approval, where required), completion of construction,

and a date for achievement of final compliance with the provisions of the administrative order and of this division.

(Ord. No. 538-G, § 1, 6-20-02; Ord. No. 736-G, § 1, 6-16-05)

Sec. 27-229. Grease hauler regulation program.

- (a) **Administration and permitting of grease haulers.** Any person, firm, or business desirous of collecting, pumping or hauling grease interceptor wastes from businesses located within the municipal limits of St. Petersburg who does not hold and maintain a current Pinellas County “grease waste hauler permit” shall be required to apply for and obtain a “grease hauler permit (GHP)” from the City. The Director shall approve, deny, or approve with special conditions all applications for GHPs in accordance with the policies and regulations established in this division.

It shall be unlawful for any identified grease hauler to clean or pump out grease interceptors within the City limits without either a current GHP or a Pinellas County “grease waste hauler permit.”

- (b) **Application form.** To obtain a GHP, a grease hauler shall submit a completed GHP application form together with the appropriate fee to the City. The grease hauler shall be issued with a GHP within 30 working days of the City’s receipt of the completed application form and appropriate fees. The grease hauler shall obtain the GHP prior to providing grease hauling services within the City’s wastewater collection system service area. Each application shall include the following information:
- (1) Name of applicant. If the applicant is a partnership, corporation or other business entity, the name of an individual who legally is able to act on behalf of the organization must be provided.
 - (2) Applicant address and phone number, including information for person(s) to contact at times other than regular business hours.
 - (3) The type, license tag number, and capacity of each vehicle which will be used to pump or haul liquid wastes from grease interceptors. New or replacement equipment acquired subsequent to the application shall be reported to the City prior to use.
 - (4) A copy of a current State of Florida Health Department license if the hauler pumps or hauls septic tank waste or portable toilet wastes.
 - (5) Financial assurance in the amount of \$10,000.00 in a form acceptable to the City. Such assurance shall remain in effect for the life of the permit. This assurance shall be used to guarantee disposal costs, fines, and the costs of any damages that may result from a grease hauler discharging in violation of this division.
 - (6) A list of the disposal facilities that the applicant intends to use.
 - (7) A signed statement that the information provided is accurate, and that the applicant agrees to abide by the regulations contained in this division, as well as any other applicable federal, state or local regulations governing their activities.
 - (8) Any other information determined by the GMP to be necessary to evaluate the GHP application.

- (c) **Grease hauler permit (GHP).** Each GHP approved by the City shall be effective for a period of three years, and may include special conditions as required by the City. The GHP required by the City shall be in addition to any other permits, registrations, or occupational licenses which may be required by federal, state, and local agencies having lawful jurisdiction. The GHP is not transferable.
- (1) Permit contents. All approved GHPs shall include a statement of the duration of the permit, including the effective and expiration dates; identification of all approved vehicles and the liquid wastes which may be hauled by each; standard conditions relating to permit renewal and permit revision; a list of definitions; reporting requirements, spill procedures, and any other applicable special conditions. Special conditions may include, but are not limited to:
- a. A statement that: All grease interceptors shall initially be pumped completely empty. Excessive solids shall be scraped from the walls and baffles, and inlet, outlet and baffle ports shall be cleared. Re-introduction of gray water only into the interceptor shall be permitted provided the grease hauler has written authorization to return the gray water from the food service facility concerned. The grease hauler shall wait at least 20 minutes to allow the interceptor waste to separate in the truck tank before attempting to re-introduce the gray water to the interceptor. No grease or solids may be re-introduced into the interceptor.
 - b. A statement indicating that no grease or gray water will be accepted at any City-owned facility and that the permittee should contract with other private or public facilities to properly dispose of the grease and food solids.
 - c. A statement that the grease hauler is required to comply with all federal, state and local regulations concerning the pumping of grease interceptors and the hauling and disposal of their contents.
 - d. Any other statement or requirement that the City believes to be necessary to meet the intent of this division.
- (2) Permit renewal. An application for GHP renewal shall be submitted on the appropriate renewal form together with the renewal fee at least 60 days prior to the expiration date of the existing GHP by each applicant wishing to provide grease hauling services to permitted food service facilities located in St. Petersburg's wastewater collection service area.
- (d) **Pinellas County "Grease Waste Hauler Permit."** All grease haulers holding and maintaining a valid "grease waste hauler permit" issued by Pinellas County shall not be required to obtain a GHP from the City. The City shall issue a notice of permission to provide grease hauling and interceptor pumping services within St. Petersburg's wastewater collection system service area to grease haulers holding Pinellas County permits when the City receives a completed permission request form from the grease hauler together with a copy of the Pinellas County permit. The notice of permission shall have the same expiration date as that of the Pinellas County Permit and shall include the conditions of Section 27-229, paragraph (c)(1)a.--d. Grease haulers shall renew the Pinellas County permit or obtain a City GHP if they wish to continue to operate after the expiration date of the current permit. There shall be no charge for this service.
- (e) **Spill reporting.** Any accident, spill, or other discharge of grease or gray water which occurs within the City shall be reported to the City by the grease hauler as soon as possible but not longer than 24

hours after the incident. The grease hauler shall comply with all procedures contained in federal, state and local regulations. The grease hauler shall be responsible for all clean-up procedures and costs.

- (f) **Record keeping.** Grease haulers shall retain and make available for inspection and copying, all records related to grease interceptor pumping and grease disposal from businesses located in the St. Petersburg wastewater collection service area. These records shall remain available for a period of at least three years. The failure to provide information to the City within ten days of a written request is a violation of this ordinance and may result in revocation of a permit. The City may require additional record keeping and reporting, as necessary, to ensure compliance with the terms of this division.
- (g) **Vehicle inspection.** Grease haulers shall permit the City to inspect grease hauler's registered vehicles.
- (h) **Disposal.** Waste removed from each grease interceptor shall be disposed of at a facility permitted to receive such waste or at a location designated by the City of St. Petersburg for such purposes. Neither grease nor solid materials removed from interceptors shall be returned to any grease interceptor, private sewer line, or to any portion of the City's wastewater collection system or water reclamation facilities without prior written permission from the Director. A violation of this section shall result in an immediate revocation of the GHP in addition to any other enforcement action taken.
- (i) **Removal from registered hauler list.** Repeated failure of a registered hauler to submit reports in a timely manner or the repeated submission of incomplete reports will result in the removal of that hauler from the registered hauler list.

(Ord. No. 538-G, § 1, 6-20-02; Ord. No. 736-G, § 1, 6-16-05)

Sec. 27-230. Fees

- (a) **Fees and billing.** The fees provided for in this division are separate and distinct from all other fees chargeable by the City. All fees shall become immediately due and owing to the City upon receipt of invoice(s) for rendition of services or expenditure by the City and shall become delinquent if not fully paid within 45 days after receipt. Any delinquent amount shall be subject to a late charge of 15 percent. Fees applicable to this division are as follows:

- (1) Grease discharge permit fees. Grease discharge permit (GDP) fees shall be determined according to the computed average daily water usage by the food handling area (including sanitary wastewater) of the food service facility based on at least six months accumulated data from the potable water meter(s). Fees shall be charged annually throughout the duration of the three-year permit and shall be as follows:

| | |
|---|----------|
| 0 gallons to 100 gallons per day, per year . . . | \$100.00 |
| 101 gallons to 1,000 gallons per day, per year . . . | 200.00 |
| 1,001 gallons to 10,000 gallons per day, per year . . . | 300.00 |
| Greater than 10,001 gallons per day, per year . . . | 400.00 |

In cases where more than 20 percent of potable water is used for purposes other than in the food handling area, at the pre-permit inspection, the GMP official shall estimate the food handling area (including sanitary wastewater) water usage based on best professional judgment by taking at least, but not limited to, the following criteria into consideration:

Size of food handling area and number of employees;

Number of meals served per day (if applicable);

Number of seats or beds (if applicable);

Utensils used in food preparation and service;

Types of washing up processes;

Number of sinks, garbage disposals, dishwashers, floor drains, restrooms, etc; Total monthly potable water use for at least the previous six-month period, and; Other uses of water within the facility.

In the case of a new facility, best professional judgment shall be applied by the GMP official to determine the projected average daily water usage by the food handling area using the above criteria without the water meter data.

- (2) Variance fee. A food service facility applying for a variance from the monthly pumping requirements of Section 27-227(d) shall submit an application fee of \$275.00 with the application. An application for variance will not be considered until the fee has been submitted.
- (3) Pre-permit inspection fees. The charge for the initial pre-permit inspection and the second inspection shall be included as part of the permit application fee. A fee of \$250.00 shall be charged to a food service facility if a third pre-permit inspection is required due to the food service facility's failure to correct deficiencies. If a fourth or more inspections are required, a fee of \$500.00 shall be charged to the food service facility to recover the cost for each inspection. Such fee shall be in addition to any enforcement actions.
- (4) Inspection and re-inspection fees. There shall be no charge for periodic inspections conducted by GMP officials on food service facilities with current GDPs. If a grease interceptor or trap has to be re-inspected because of deficiencies found during the previous inspection by the GMP official, and all of the deficiencies have been corrected, there shall be no charge for the re-inspection. If all of the deficiencies have not been corrected, a first re-inspection fee of \$150.00 shall be charged to the food service facility. If a second re-inspection is required, a second re-inspection fee of \$250.00 shall be charged to the food service facility if all of the deficiencies have still not been corrected. If a third or more re-inspections are required a re-inspection fee of \$500.00 for each successive re-inspection shall be charged to the food service facility in addition to other enforcement actions if all of the deficiencies have still not been corrected.
- (5) Demand monitoring fees. Fees for any demand monitoring, sampling, and analysis of wastewater discharges deemed necessary for the protection of the WRF shall be charged to the food service facility in the amount established in Section 27-212(i).
- (6) Late reporting fee. Permitted food service facilities are required to submit quarterly reports to the City as outlined in Section 27-227(d)(9) of this division. Reports submitted more than 30

days after the end of each quarterly period shall be subject to a late fee of \$50.00.

- (7) Grease hauler permit fee. Each GHP application filed pursuant to this division shall be accompanied by an application fee of \$200.00 for an initial application together with a \$50.00 vehicle fee for each vehicle included on the application form. Renewal fees shall be the same as initial application fees.
- (8) Administrative order fee. A fee of \$50.00 shall be charged to any food service facility requesting an administrative order pursuant to Section 27-228 of this division.

(Ord. No. 538-G, § 1, 6-20-02; Ord. No. 736-G, § 1, 6-16-05)

Sec. 27-231. Appeal of permit denial or revocation.

Any permit denial or revocation of a permit pursuant to this division may be appealed to the City Council of the City of St. Petersburg. The permit applicant or food service facility owner shall have 30 days from the date of notification of the permit denial or revocation to submit a written request for a hearing. Failure to file an appeal constitutes acceptance of the decision to approve or deny the permit and any conditions thereof. City Council shall conduct a public hearing and decide within 60 days from the receipt of the appeal, whether or not to grant the permit. The decision of the City Council shall be final. The City Council shall follow the same guidelines as established in the City Code with respect to permit issuance, and may impose reasonable conditions on any order granting the permit. In conducting a public hearing, the Council may receive new evidence and shall not be bound by the technical rules of evidence.

(Ord. No. 538-G, § 1, 6-20-02; Ord. No. 736-G, § 1, 6-16-05)

Sec. 27-232. Legal proceedings.

- (a) **Search warrant.** The Director, through the City Attorney may seek to obtain a search warrant from the appropriate authority to gain access to a food service facility for the purposes of inspection and monitoring if such lawful entry under Section 27-228(e) of this division has previously been denied by the food service facility.
- (b) **Citation to County Court.** Notwithstanding any of the above, the Director may cite any user to County Court for violation of any provision of this division. A violation of any condition or requirement of a food service facility or grease hauler permit, or failure to obtain such a permit shall be deemed to be a violation of this division.
- (c) **Injunctive and other relief.** The Mayor, through the City Attorney, may file a petition in the name of the City in the Circuit Court of the County or such other courts as may have jurisdiction seeking the issuance of an injunction, damages, or other appropriate relief to enforce the provisions of this division or other applicable law or regulation. Suit may be brought to recover any and all damages suffered by the City as a result of any action or inaction of any person who causes or suffers damage to occur to the City's wastewater collection system, or for any other expense, loss or damage of any kind or nature suffered by the City.
- (d) **Criminal mischief.** No person shall maliciously, willfully or deliberately break, damage, destroy,

uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the City sewer system or Water Resources Department. Any person violating this provision shall be subject to immediate arrest under charge of destruction of public property in accordance with F.S. § 806.13.

- (e) Remedies nonexclusive.** The remedies provided for in the ordinance are not mutually exclusive. The Director may take any, all, or any combination of these actions against a noncompliant person. (Ord. No. 538-G, § 1, 6-20-02; Ord. No. 736-G, § 1, 6-16-05)

Sec. 27-233. Penalties.

(a) Violations. Any person who is found to have violated any provision of this division or any condition of a permit issued pursuant to this division, shall be, upon conviction, subject to a penalty in an amount not to exceed \$500.00 or by imprisonment for not more than six months, or by both, for each offense as provided for in F.S. § 162.22. Each separate violation shall constitute a separate offense, and upon conviction of a specified ordinance violation, each day of violation shall constitute a separate violation. In addition to the penalties provided herein, the City may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this division or the orders, rules, regulations and permits issued hereunder.

(b) Falsifying information. Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this division, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this division, shall, upon conviction, be subject to a penalty in an amount not to exceed \$500.00 or by imprisonment for not more than six months, or by both. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

(Ord. No. 538-G, § 1, 6-20-02; Ord. No. 736-G, § 1, 6-16-05)

Sec. 27-234. Administrative enforcement and abatement.

(a) Food service facility enforcement. Enforcement actions against food service facilities in violation of this division shall be as follows:

- (1) Notice of violation. A notice of violation (NOV) shall be issued to a food service facility for any one or more of the following reasons:
 - a. Failure to properly maintain the oil and grease interceptor or trap in accordance with the provisions of the oil/grease discharge certificate and this division.
 - b. Failure to report significant changes in operations, or wastewater constituents and characteristics.
 - c. Failure to maintain a file of records on-site at all times.
 - d. Failure to maintain a record of pumping activities.

- e. Failure to provide logs, files, records, or access for inspection or monitoring activities.
 - f. Failing to obtain or renew a GDP in a timely manner.
 - g. Any other failure to comply with the requirements of this division or conditions of a permit, or failure to obtain a GDP as required by this division.
- (2) Notice of violation response. Any food service facility issued an NOV shall respond to the City in writing within ten calendar days of receipt of the NOV describing how the non-compliance occurred and what steps will be taken to prevent the re-occurrence of the non-compliance. Escalating enforcement procedures, demand monitoring and other penalties will be applied when continuing non-compliance is detected, including, but not limited to, revocation of the GDP and/or citation to County Court for violations of this division. If a food service facility violates or continues to violate the provisions set forth in this division or fails to initiate/complete corrective action in response to a NOV, then the City may pursue one or more of the following options:
- a. Contract with a permitted grease hauler to pump the grease interceptor and bill the appropriate charge to the food service facility concerned.
 - b. Enter into an administrative order.
 - c. Revoke the GDP.
 - d. Citation to County Court.
- (3) Best Management Practice Training. All food service facilities that receive notices of violation or administrative orders may be required to send both managerial and other staff to an approved training session regarding BMPs. These training sessions will be held at locations and times that will be announced by the GMP.
- (4) Permit revocation. Any GDP issued under the provisions of this division is subject to be modified, suspended or revoked in whole or in part during its term for cause shown including, but not limited to, any one of the following:
- a. Falsification of any information submitted as part of the application for the GDP.
 - b. Failure to comply with any requirements or regulations concerning discharges to the City's wastewater collection system as provided by Section 27-211 (or any amendments thereto), of the City Code.
 - c. Failure to comply with any requirements or regulations concerning grease interceptors as provided for in Sections 27-225 through 27-233 (or any amendments thereto), of this division.
 - d. Failure to pay required fees, or any assessed surcharges in a timely manner.
 - e. Failure to attend required BMP training courses as itemized in subsection (2) above.
 - f. When necessary to protect the public health, safety and welfare in accordance with the terms set forth in Section 27-216 of the City Code.
- (b) Grease hauler enforcement.** Failure of any grease hauler to comply with the requirements of this division or with the provisions of any permit or approval granted or authorized under this division

shall constitute a violation of this division. Violations of the provisions of this division shall be subject to, but not limited to, the following procedures:

- (1) Notice of violation. A notice of violation (NOV) will be issued to any grease hauler which is found to be in non-compliance with the regulations and requirements of this division. Response to this NOV must be received by the City within ten calendar days of its receipt by the grease hauler.

The grease hauler will be required to describe how the non-compliance occurred, verification that the violation has been corrected, and shall provide assurance that steps will be taken to prevent the re-occurrence of the non-compliance.

- (2) Permit revocation. Any GHP or notice of permission issued pursuant to the provisions of this program may be modified, suspended or revoked in whole or in part during its term for cause shown including, but not limited to, any one of the following:
 - a. Falsification of any information submitted as part of the application for the GHP or the notice of permission.
 - b. Falsifying information regarding collection and disposal of wastewater.
 - c. Discharging any grease, liquid, or solid waste into a non-authorized location.
 - d. Failure to maintain financial assurance as required by Section 27-229(b)(5) of this division.
 - e. Failure to comply with any other permit condition.

(c) Recovery of costs. When a discharge of waste causes an obstruction, damage or any other impairment to the facilities, or any expense of whatever character or nature to the City, the Director shall assess the expenses incurred by the City to clear the obstruction, repair damage to the facility, and any other expenses or damage of any kind or nature suffered by the City. The Director shall file a claim with the user or any other person or entity causing such damages seeking reimbursement for any and all expenses or damages suffered by the City. If the claim is ignored or denied, the Director shall notify the City Attorney to take such measures as shall be appropriate to recover any expense or to correct other damages suffered by the City.

(d) Remedies nonexclusive. The remedies provided for in this division are not exclusive. The City may take any, all, or any combination of these actions against a person violating this division. Enforcement of violations will generally be in accordance with Section 27-232 of this division; however, the City may take other action against any person when the circumstances warrant. Further, the City is empowered to take more than one enforcement action against any person in violation of this division.

(Ord. No. 538-G, § 1, 6-20-02; Ord. No. 555-G, § 2, 9-19-02; Ord. No. 736-G, § 1, 6-16-05)