



Overview of Title XVI Chapter 8

Grease and Oil Management Program – Food Service Facilities (Adopted May 26, 2015)

**This Chapter can be found in its entirety at
library.municode.com/library/co/pueblo/codes/code_of_ordinances**

The Grease and Oil Management Program's purposes are:

1. To prevent the introduction of excessive amounts of grease, sand and oil into the City's wastewater collection system in amounts that, along or in combination with other discharges, have the potential to disrupt flows in the wastewater collection system or cause interference or pass through in the City's waste reclamation facility;
2. To prevent clogging or blocking of the City's wastewater collection system which may result in backups or sewer overflows upon streets, or within buildings, resulting in expensive clean up costs and potential health risks;
3. To establish administrative review procedures and reporting requirements; and
4. To establish enforcement procedures for violations of any part or requirement of this Chapter.

The provisions of this Chapter shall be applicable to all existing food service facilities that are located within the corporate boundaries of the City of Pueblo and to all food service facilities that commence operations within said boundaries on or after the effective date of this Chapter (June 1, 2016).

Sec. 16-8-1(c) Definition of a Food Service Facility

Any non-domestic facility which prepares and/or packages food or beverages for sale or consumption, on or off the premises and which may introduce grease into the wastewater collection system. Food service facilities shall include, but are not limited to: "food handling establishments" as defined in Chapter 4 of Title IX even when located in a residence, food courts, food manufacturers, food packagers, restaurants, grocery stores, bakeries, taverns and all food facilities located within hospitals, hotels, motels, bed and breakfasts, nursing homes, churches, clubs and fraternal organizations, schools and other facilities that prepare, service or otherwise make foods for consumption.

Sec. 16-8-3(a) Best Management Practices

All food service facilities shall comply with the following Best Management Practices in an effort to minimize the discharge of grease in the City's wastewater collection system:

1. Employee training shall be provided as part of the normal orientation process and annually thereafter including, at a minimum, the following subjects:
 - a) How to scrape excess food into the garbage and "dry wipe" pots, pans, dishware and work areas before washing to remove grease.
 - b) How to capture accumulated oil during the cleaning of stoves and ventilation exhaust hoods and dispose in a waste grease container.
 - c) Methods on how to dispose of liquid grease or oils from cooking equipment into a waste grease container without spilling.
 - d) The location, use and disposal of absorption products to clean any spills under fryer baskets and other locations where grease may be spilled or dripped.
2. Drain screens shall be installed on all drainage pipes in food preparation areas.
3. "No Grease" signs shall be posted above sinks and on front of dishwashers.
4. All liquid oil and grease shall be poured into a waste grease container where it can be recycled or disposed of properly in accordance with Federal, State and local regulations.
5. Food wastes shall be disposed of directly into the trash or garbage and not in the drain. In-sink garbage disposal units shall not be installed in any food service facility. The City discourages the continued use of existing in sink garbage disposal units, as these can increase the introduction of grease into the City's wastewater collections system. However, if used, garbage disposal units must be connected to a grease trap or grease interceptor. Garbage disposal units shall not be used for disposal of any food wastes that can be disposed as solid waste.

Training shall be documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed. Training records shall be made available for review at any time by the City grease management inspector.

Sec. 16-8-4 General Requirements for Grease Interceptors

Food service facilities which are newly proposed or expanded, and existing structures which will be renovated to include a food service facility, where such facility did not previously exist shall

be required to install, operate and maintain one or more grease interceptors in accordance with the requirements contained in Sections 16-8-4 and 16-8-5 of this Chapter. The required device shall be installed prior to issuance of the certificate of occupancy.

All food service facilities existing with the City prior to the effective date of this Chapter shall be allowed to operate and maintain existing grease interceptors and grease traps, provided such devices are functioning and in proper operating condition, and provided the facility has not been issued a written order pursuant to Subsection (a)(3). **All existing food service facilities that do not have any grease removal device will not be required to install a grease interceptor provided the facility is not contributing excessive fats, oils and grease to the wastewater system.** If found to be contributing the facility will be issued a written order pursuant to Subsection (a) (3).

Subsection (a)(3) states the GMP (grease management program) official may, by written order issued pursuant to Section 16-8-9 of this Chapter, require an existing food service facility to install, operate and maintain a new grease interceptor that complies with the requirements of this Chapter, or to modify or repair any noncompliant plumbing or existing grease trap or grease interceptor. The GMP official may issue such order upon any of the following basis:

1. The facility is found to be contributing grease in quantities sufficient to cause sewer line clogging or necessitate increased maintenance on the wastewater collection system;
2. The facility has an undersized, inoperable or defective grease trap or grease interceptor;
3. Proposed renovation of the facility's plumbing system which will introduce or permit the introduction of excessive amounts of grease into the City's wastewater system;
4. The facility has failed to implement or otherwise comply with the BMP's set forth in Section 16-8-3 of Chapter 8; or
5. There has been a sale, transfer or conveyance of ownership of the existing food service facility.

Sec. 16-8-6. Maintenance , Record keeping and Inspections

1) Maintenance

- a) Each food service facility shall be responsible for the costs of installing, inspecting, pumping, cleaning and maintenance of a grease interceptor. Pumping services and disposal shall include the complete removal of all contents, including floating materials, wastewater and bottom sludges and solids. Cleaning shall include scraping excessive solids from the walls, floors, baffles and all pipe work. It shall be the responsibility of each facility to inspect its grease interceptor during the pumping procedure to ensure that it is properly cleaned and that all internal fittings and fixtures are in working condition and function properly. The

solids and grease shall be disposed of in a solid waste disposal facility authorized to receive such waste or it may be recycled. No grease or solid materials removed shall be returned to any grease interceptor, private sewer line, or to any portion of the City's wastewater collection system or the City Water Reclamation Facility without prior written permission from the Wastewater Department.

- b) Each food service facility may contract with a grease hauler who has been issued a permit by the City for cleaning services or it may develop a written protocol and perform its own cleaning and maintenance procedures.
- c) Each food service facility shall have its interceptor(s) pumped according to the following criteria for each facility:
 - 1) Food service grease interceptors shall be pumped no less than once per month; or
 - 2) When the floatable grease layer exceeds six inches (6") in depth as measured by an approved dipping method; or
 - 3) When the settled solids layer exceeds eight inches (8") in depth as measured by an approved dipping method; or
 - 4) When the total volume of captured grease and solid material displaces more than 20% of the capacity of the interceptor as calculated using an approved dipping method; or
 - 5) When the interceptor is not retaining/capturing oils and greases; or the removal efficiency of the device, as determined through sampling and analysis, is less than eighty percent (80%).

2. Record Keeping

- a) Each food service facility shall keep accurate records of all services performed on a grease interceptor including the identification of the person or persons performing the services, the date and time of the cleaning, maintenance, repairs or other services performed. The records shall be available for inspection by the GMP official upon request.
- b) Each food service facility shall submit a semi-annual report to the City on a form provided by the City. Reports shall be submitted on or before the last day of June and December in each year. Each report shall record the number of times a grease interceptor has been cleaned since the last report and shall indicate the volume of liquids and solids removed on each occasion.

3. Inspections

The City may conduct inspections of any facility with or without notice for the purpose of determining applicability and/or compliance with any requirement of this Chapter.

Inspection results will be provided in writing to the facility.

Sec. 16-8-7. Variance

- 1) A conditional waiver of the requirements of a grease interceptor may be granted by the Wastewater Director upon the following conditions:
 - a) The food service facility will have negligible discharge of grease and an insignificant impact to the City's wastewater collection system; or
 - b) The installation of a grease interceptor is not feasible due to lack of adequate space or inadequate slope.
 - c) A variance may be granted from the requirements of a grease interceptor to allow alternative pretreatment technology. Approval shall be conditioned upon the facility establishing the proven removal efficiencies of the proposed alternative pretreatment technology and reliability of operations.
 - d) A variance may be granted to the monthly pumping requirements contained in Subsection 16-8-6(a)(3) of this Chapter where the facility establishes that an extended period will not result in the grease exceeding the limitations otherwise set forth in Subsection 16-8-6(a)(3) of this Chapter. The City may require inspection by a GMP official to document and verify same.

The applicant for any variance or waiver under this Section has the burden of proof of demonstrating that it meets the conditions for any variance or waiver. All such applications shall be in writing and shall be filed with the Wastewater Director. A variance or waiver shall contain the terms and conditions that serve as the basis for its issuance which shall include compliance with all other requirements of this Chapter including applicable BMPs set forth under Section 16-8-3 of this Chapter. A variance or waiver may be revoked by the director at any time upon his or her determination that any of the terms or conditions for its issuance is not satisfied or if the conditions upon which the variance or waiver was based have changed so that the justification for the variance or waiver no longer exists. The variance or waiver shall be valid so long as the food service facility remains in compliance with the terms and conditions or until the expiration date in the variance or waiver.

Sec. 16-8-9. Enforcement

The GMP official is authorized and empowered to administer and enforce this Chapter with authority to issue to any person in violation of any provision of this Chapter a notice of violation and order to correct. An appeal of such notice and order may be taken by filing with the Wastewater Director a written appeal specifying the ground for appeal. Any such appeal must be filed within fourteen (14) days of service of the notice and order. Upon timely filing of an appeal, the GMP official shall transmit to the Wastewater Director all papers constituting the record upon which the action appealed was taken. The Wastewater Director shall fix a date and time for the hearing of the appeal, give ten (10) days' notice thereof to the parties in interest, and decide the same within a reasonable time.

It shall be unlawful and a class 1 municipal offense for any person:

- 1) To knowingly obstruct, hinder or interfere with any GMP official or other employee of the Wastewater Department acting under color of his or her official authority, in the discharge or apparent discharge of his or her duties, by means of physical force or violence, or by threats of imminent physical force or violence;
- 2) To fail to make, maintain or produce on demand any record required to be kept as required by this Chapter; or
- 3) To fail to install, repair, maintain, clean, or operate any grease interceptor as required by this Chapter.

It shall be unlawful and a class 1 municipal offense for any person served with a notice and order issued by the GMP official pursuant to Section 16-8-9(a) of this Chapter to fail to comply with the order within the time specified in the order. Failure to comply with an order of the GMP official as herein provided constitutes a separate and independent violation in addition to and not in substitution of any other violation of the provisions of this Chapter. It shall be an affirmative defense to a violation of this Subsection (c) that the order has been duly and timely appealed to the Wastewater Director, and the Wastewater Director has reversed or modified the order after notice and hearing.