

**STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK**

ORDINANCE #02-2018

AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES; AMENDING CHAPTER 48, “UTILITIES”, ARTICLE IV, “STORMWATER AND WASTEWATER COLLECTION AND TREATMENT”, DIVISION 5 “DISCHARGE OF WASTEWATER INTO PUBLIC SEWERS”, SUBDIVISION II “REQUIREMENTS” BY THE ADDITION AND ADOPTION OF SECTION 48-437 “FATS, OIL AND GREASE”.

The City of Allen Park Ordains:

SECTION 1. Amendment to Code.

That Section 48-437, “Fats, Oil and Grease”, under Chapter 48 “Utilities”, Article IV “Stormwater and Wastewater Collection and Treatment”, Division 5 “Discharge of Wastewater into Public Sewers”, Subdivision II “Requirements” be added and adopted to hereafter read as follows:

Chapter 48 “Utilities”
Article IV “Stormwater and Wastewater Collection and Treatment”
Division 5 “Discharge of Wastewater into Public Sewers”
Subdivision II “Requirements”

48.437 FATS, OIL AND GREASE

- A. The limits for Fats, Oil and Grease (FOG) concentration from industrial and commercial dischargers shall not exceed 100 mg/l. The engineer for the City of Allen Park may establish a sampling and inspection program, or require that self-monitoring techniques, as determined by the engineer, be implemented by restaurants and industrial and/or commercial dischargers, in order to ensure that FOG concentration limits are not being exceeded. The scope of the inspection and sampling program to be undertaken to assess compliance with the FOG requirements shall be determined by the engineer for the City of Allen Park and need not necessarily include individual inspection of each regulated facility.
- B. Any new restaurant, commercial or industrial facility or other non-residential facility having the potential to discharge FOG in concentrations exceeding 100 mg/l shall install a “FOG Interceptor” prior to connecting to the sewer system, and shall properly operate and maintain the FOG Interceptor thereafter. “FOG Interceptor” means a system or device capable of removing FOG from restaurants, and commercial or industrial facilities with the

potential to discharge FOG. A FOG Interceptor shall provide a minimum of 750 gallons capacity, unless a smaller capacity or alternative FOG removal system is approved by the engineer of the City of Allen Park as an acceptable FOG control device pursuant to this Section 48.437 B.

- C. Any existing facility which proposes to convert to a restaurant or other business having the potential to discharge FOG in concentrations exceeding 100 mg/l shall either install a FOG Interceptor or implement alternative mechanisms to control FOG which are acceptable to the engineer for the City of Allen Park.
- D. Only kitchen wastewater, or other FOG bearing lines, shall be connected to the FOG Interceptor. No domestic wastewater or restroom wastewater should enter the FOG Interceptor.
- E. All FOG Interceptors, or similar FOG removal systems, shall be cleaned and maintained by the discharger as necessary to insure FOG discharges of less than 100 mg/l. The FOG Interceptors shall be pumped when the FOG concentration exceeds twelve inches in thickness or is within two inches of the discharge pipe in the first chamber. The discharger shall provide written notice to the engineer for the City of Allen Park at least two days prior to performing cleaning or maintenance work on a FOG Interceptor. The notice may be by fax to the Department of Public Services. "Jetting out" the FOG Interceptor or similar FOG removal system is not permitted.
- F. All FOG Interceptors, or similar FOG removal systems, shall be placed in a location that is accessible for cleaning, removal of grease, and acceptable for sampling. The location of the FOG Interceptor shall meet the approval of the engineer for the City of Allen Park for sampling and inspection purposes. The sampling box and manhole shall connect directly to the FOG Interceptor prior to any domestic wastewater connections. Sampling stations may be used to monitor the efficiency of any FOG Interceptor maintenance program. Upon approval from the engineer for the City of Allen Park, the location of each interceptor shall be placed in accordance with the manufacturer's instructions. Ready access shall be provided to each FOG Interceptor for service and maintenance. Furthermore, each business establishment for which a FOG Interceptor is required shall have an interceptor which shall serve only that establishment.
- G. Sampling and inspections of FOG Interceptors or similar FOG removal systems that result in noncompliance with these aforementioned standards shall receive written notification that the facility(s) has seven (7) days to pump out the FOG Interceptor or similar FOG removal system and will be reinspected. If after reinspection, the FOG Interceptor or similar FOG removal system is still in noncompliance, the discharger must clean out the FOG Interceptor or similar FOG removal system immediately. The engineer for the City of Allen Park will reinspect the FOG Interceptor or similar FOG removal system; if the interceptor or removal system is still in noncompliance, the City of Allen Park may assess a civil fine of up to \$100.00 per day of

violation and may have the interceptor or removal system cleaned at the discharger's expense and bill to the discharger any associated noncompliance fees. Documentation of cleaning the FOG Interceptor or similar FOG removal system is to be maintained onsite and shall be given to the requesting agency for proof of compliance. If a discharger's FOG Interceptor or similar FOG removal system is in noncompliance three (3) times after the initial seven (7) day reinspection in a consecutive twenty-four (24) month period, the City of Allen Park shall take immediate enforcement action against the discharger.

- H. In addition to any other relief provided by this article, the city attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this article. Such application for relief may include seeking a temporary restraining order, temporary injunction and permanent injunction.

SECTION 2. Repeal. All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Saving Clause.

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 4. Severability.

Should any word, sentence, phrase or any portion of this Ordinance be deemed invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase, or any portion of the Ordinance deemed invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

SECTION 5. Publication.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the 27th day of February, 2018.

WILLIAM MATAKAS, Mayor
City of Allen Park

MICHAEL I. MIZZI, City Clerk
City of Allen Park