

Article XII. Discharges of Fats, Oils, and Grease from Food Service Establishments

14.01.1200 General provisions.

A. Purpose.

1. The purpose of this article is to facilitate the maximum beneficial use of the City's sewer services and facilities while preventing blockages of the sewer lines resulting from discharges of fats, oils, and grease (FOG) into the public sewer, and to specify appropriate FOG discharge requirements for food service establishments (FSEs) as defined herein.
2. This article shall apply to both direct and indirect discharge of wastewater containing FOG carried to the public sewer.
3. The provisions set forth in this article are designed to ensure compliance with Federal, state, and local laws and regulations, and to allow the City to meet applicable standards.
4. This article also establishes quantity and quality standards on all discharges containing FOG, which may alone or collectively cause or contribute to FOG accumulation in the sewer facilities causing or potentially causing or contributing to the occurrence of sanitary sewer overflows (SSOs).

B. Definitions.

1. Unless otherwise defined herein, terms related to water quality shall be as adopted in the latest edition of Standard Methods for Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation. Testing procedures for waste constituents and characteristics shall be as provided in [40](#) Code of Federal Regulations [136](#).
2. Subject to the foregoing, the meaning of the terms used in this chapter shall be as follows:
 - a. "Best management practices (BMPs)" means activities, prohibitions, maintenance procedures and other management practices to prevent or reduce the direct or indirect introduction of FOG into the public sewer as defined in Attachment C of the FOG Permit.

Dixon Municipal Code (DMC) Excerpt

See <http://www.codepublishing.com/CA/Dixon/> Section 14.01 for entire Sewer Code

- b. "Change in operations" means any change in the ownership, food types, or operational procedures that have the potential to change the amount of FOG discharged by the FSEs in an amount that alone or collectively causes or creates a potential for SSOs to occur.
- c. "Collection system" means portions of the public sewer consisting of all pipes, sewers and conveyance systems conveying wastewater to the publicly owned treatment works (POTW), excluding privately owned sewer service lateral line.
- d. "Compliance schedule" means a time schedule, enforceable under the provisions of this chapter, which contain increments of progress (e.g., milestones, in the form of dates). These milestones shall be for the commencement and/or completion of major events leading to the construction and operation of additional pretreatment facilities or the implementation of policies, procedures or operational management techniques, or repairs and corrections required for permittees to comply with all applicable Federal, State or local environmental regulations which may directly or indirectly affect the quality of the permittee's wastewater.
- e. "Composite sample" means a collection of individual samples obtained at selected intervals based on an increment of either flow or time. The resulting mixture (composite sample) forms a representative sample of the waste stream discharged during the sample period.
- f. "Enforcement officer" means any City employee or agent of the City with authority to enforce the provisions of this chapter and the authority to make any decision on behalf of the City Engineer/ Public Works Director required or called for by this chapter.
- g. "Fats, oils, and grease" or "FOG" means any substance such as vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, wax and other trichlorotrifluoroethane soluble material, or any substance that originates from petroleum or minerals that becomes or may become viscous, or solidifies or may solidify, with a change in temperature or other conditions.
- h. "FOG control program" means the FOG control program developed by the City, as required by and pursuant to State Water Resources Control Board Order No. 2006-0003, and any subsequent modifications.

i. "FOG wastewater discharge permit" or "FOG WDP" means a permit issued by the City, subject to the requirements and conditions established by the City, authorizing a permittee to discharge wastewater from a FSE into the public sewer.

j. "Food service establishment" or "FSE" means a facility, including but not limited to any commercial entity discharging wastewater into the collection system, operating in a permanently constructed structure such as a room, building or place, or portion thereof, maintained, used or operated for the purpose of storing, preparing, serving or manufacturing, packaging or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by an exhaust hood pursuant to Cal. Health & Safety Code § [114149.1](#) or in accordance with the California Uniform Retail Food Facilities Law (CURFFL) (Cal. Health & Safety Code § [113700](#) et seq.). A limited food preparation establishment is not considered an FSE when engaged only in reheating, hot holding, or assembly of ready to eat food products, provided that there is no wastewater discharge containing a FOG that exceeds 100 mg/L.

k. "Food grinder" means any device installed in the plumbing or sewage system for the purpose of grinding food or food waste.

l. "Grease control device" means any grease interceptor, grease trap or other mechanism, device or process which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap, collect or treat FOG prior to it being discharged into the public sewer. A grease control device may also include any other proven method to reduce FOG subject to the approval of the Director.

m. "Grease disposal mitigation fee" means a fee charged to a permittee when there are physical limitations to the property that make the installation of the usual and customary grease interceptor or grease control device for the FSE impossible or impracticable. The grease disposal mitigation fee is intended to cover the costs of increased maintenance of the public sewer, for inspection and cleaning of FOG that a usual and customary, and properly maintained, grease control device would otherwise prevent from entering the public sewer.

n. "Grease interceptor" means a multi-compartment device that is generally required, according to the California Plumbing Code, to be located underground between an FSE and the connection to

the public sewer. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next. To be effective, these devices must be cleaned, maintained and have the FOG removed and disposed of in a proper manner, at regular intervals.

o. "Grease trap" means a grease control device that is used to serve individual plumbing fixtures and should only be used in those cases where the use of a grease interceptor or other grease control device is determined by the Director to be impossible and/or impracticable. A grease trap is typically installed indoors, under or near a dishwashing sink.

p. "Hot spots" mean areas in public sewer lines that have experienced SSOs or that must be cleaned or maintained frequently to avoid blockages of the public sewer.

q. "Infiltration" means water entering the public sewer from the ground through such means as defective pipes, pipe joints, connections or manhole walls.

r. "Inspector" means a person authorized by the Director to inspect any existing or proposed wastewater generation, conveyance, processing and/or disposal facilities.

s. "Interceptor" means a grease interceptor.

t. "Manifest" means that receipt which is retained by a permittee for the disposal of FOG, recyclable wastes and/or liquid waste.

u. "Obstruction" means any discharge which, alone or in combination with discharges from other sources, inhibits or disrupts the public sewer operations or is otherwise a violation of the Dixon Municipal Code, including but not limited to its waste discharge requirements.

v. "Permittee" means a FSE that has received a FOG WDP and is subject to the requirements and conditions established in this article or as otherwise established by the Director.

w. "Remodeling" means any physical and/or operational change to a FSE causing a change in FOG quantity or consistency and/or that involves any one (1) or a combination of the following:

- (i) Under slab plumbing in the food processing area.
- (ii) A thirty percent (30%) increase in net public seating area.
- (iii) A thirty percent (30%) increase in size of the kitchen area.

(iv) Any change in the size or type of food preparation equipment. [Ord. 14-009 § 1.]

14.01.1210 Regulations.

A. FOG Wastewater Discharge Permit (FOG WDP) Required. No person shall discharge, or cause to be discharged, any wastewater from FSEs directly into or indirectly into the public sewer without first obtaining a FOG WDP pursuant to this article.

B. FOG Discharge Limitation. No FSE shall discharge FOG or cause FOG to be discharged into the public sewer that causes an SSO, exceeds a concentration level set forth in DMC [14.01.230](#) or that may accumulate and/or cause or contribute to blockages in the public sewer.

C. Public Sewer Overflows – Public Nuisance – Abatement Orders and Cleanup Costs. Any FSE determined by the Director to have contributed to a sewer blockage, SSO or any public sewer obstruction resulting from the discharge of wastewater or waste containing FOG, shall be ordered to install and maintain a grease interceptor, and may be subject to a plan to abate the nuisance created by sewer line failures and blockages, SSOs or any other public sewer obstruction. SSOs may cause threat and injury to public health, safety, and welfare of life and property and are hereby declared public nuisances. Furthermore, sewer lateral failures and SSOs caused by FSEs, alone or collectively, are the responsibility of the private property owners of the FSE. If the Director determines that the public health and safety require the City to act immediately to contain and clean up any SSO caused by blockage of a private sewer lateral or system serving an FSE, or if the City so acts at the request of the property owner or operator of the FSE, or because of the failure of the property owner or FSE to abate the condition causing immediate threat of injury to the health, safety, welfare, or property of the public, the City's costs for such abatement may be entirely borne by the property owner or the owner/operator of the FSE, and individuals who are responsible officers or owners of the FSE and may constitute a debt to the City, due and payable upon the City's request for reimbursement of such costs depending upon the Director's determination of the cause of the SSO per Chapter [9.01](#) DMC, Public Nuisances.

D. Best Management Practices (BMPs) Required. Every FSE shall implement BMPs in its operations, in accordance with the requirements and guidelines established by the Director, to minimize the discharge of FOG to the grease control device and/or the public sewer. Detailed requirements for BMPs shall be specified in the FOG WDP and all FSEs are required, at a minimum, to comply with the BMPs set forth therein as well as any additional BMPs established by the Director. BMPs may include, but are not limited to, kitchen practices and employee training procedures that are essential in minimizing FOG discharge to the public sewer.

E. Prohibitions. FSEs are prohibited from doing any of the following:

1. Installing food grinders in the plumbing system of new construction. All FSEs that undergo a change in operations or remodeling shall remove any existing food grinders concurrent with such change or remodeling, except as otherwise expressly allowed by the Director.
2. Introducing any additives into an FSE's plumbing system, grease trap and/or grease interceptor for the purpose of emulsifying FOG, biologically and/or chemically treating FOG for grease remediation and/or as a supplement to grease interceptor maintenance, unless a specific written authorization from the Director is first obtained.
3. Disposing waste cooking oil into the public sewer or storm drain. All waste cooking oils shall be collected and stored properly in receptacles such as rendering bins, barrels or drums for recycling or other acceptable methods of disposal.
4. Discharging wastewater with temperatures in excess of one hundred five (105) degrees F (forty (40) degrees C) into any grease control device, including grease traps and grease interceptors.
5. Discharging wastes containing fecal materials from toilets, urinals, washbasins or other fixtures to waste lines directed to grease interceptors and/or other grease control devices, or vice versa.
6. Discharging a FOG and solid materials removed from a grease control device to the public sewer. Grease removed from grease interceptors shall be waste hauled to an approved disposal site as part of the operation and maintenance requirements for grease interceptors.
7. Operating grease interceptors with FOG and solids accumulation exceeding twenty-five percent (25%) of the design hydraulic depth of the grease interceptor.
8. Discharging FOG and other pollutants above the local discharge limits set forth in DMC [14.01.230](#).

F. FOG Pretreatment Required. Every FSE is required at the time of construction, remodel, and/or change in operation to install, operate, and maintain at the expense of the permittee, an approved type and adequately sized grease interceptor necessary to maintain compliance with the objectives of this article subject to the variance and waiver provisions of subsection K of this section. The grease interceptor shall be adequate to separate and remove FOG contained in wastewater from FSEs prior to discharge to the public sewer as determined by the then current Uniform Plumbing Code (UPC), as adopted and amended by Chapter [16.05](#) DMC. Fixtures, equipment, and drain lines located in the food preparation and cleanup areas of

any FSEs that are a source of FOG discharges shall be connected to the grease interceptor. Compliance shall be established as follows:

1. New Construction of FSEs. New construction of any FSE shall include complete installation of an approved type and adequately sized grease interceptor, with a minimum size of one thousand (1,000) gallons, prior to commencing discharges of wastewater into the public sewer.

2. Existing FSEs.

a. Any existing FSE, which, in the Director's determination, has caused or contributed to grease-related blockage in the public sewer, has one (1) or more sewer laterals connected to hot spots, and/or has contributed significant FOG to the public sewer; shall be required to install grease interceptors within one hundred eighty (180) days upon issuance of written notification by the Director.

b. Any existing FSE or FSE that changes ownership or that undergoes remodeling and/or a change in operations, as defined in this article, shall be required to install a grease interceptor or to obtain a variance or waiver in accordance with subsection K of this section.

G. Commercial Properties. Any owner of a commercial property where FSEs are located, and their official designee, shall be responsible for the installation and maintenance of a grease interceptor serving multiple FSEs that are located on a single parcel.

H. Grease Interceptor Requirements.

1. Any FSE required by this article to provide FOG pretreatment shall install, operate, and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the objectives of this article.

2. Grease interceptor sizing and installation shall conform to the then current edition of the Uniform Plumbing Code, as adopted and amended by Chapter [16.05](#) DMC. Grease interceptors shall be constructed in accordance with the design approved by the Director and shall have a minimum of two (2) compartments with fittings designed for grease retention.

3. An access manhole, with a minimum diameter of twenty-four (24) inches, shall be provided over each grease interceptor chamber and each sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also

have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities.

I. Grease Interceptor Maintenance Requirements.

1. Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor, which includes wastewater, accumulated FOG, floating materials, sludge and solids.

2. All grease interceptors shall be maintained in a manner consistent with the maintenance frequency approved by the Director.

3. All grease interceptors are required to have grease retention fittings as designed for proper functions. Any interceptor that does not have the grease retention fittings shall be repaired and/or retrofitted with appropriate grease retention fittings.

4. No FOG that has accumulated in a grease interceptor shall be allowed to pass into any public sewer, storm drain or public right-of-way, or onto the surface of any street or parking area.

5. The Director may require any FSE with a grease interceptor to submit data and information necessary to establish the required maintenance frequency of the grease interceptor.

6. The required maintenance frequency for every FSE with a grease interceptor shall be determined in one (1) of the following methods:

a. Grease interceptors shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation in the grease interceptor does not exceed fifty percent (50%) of the total designed hydraulic depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume is maintained to effectively intercept and retain FOG from being discharged to the public sewer.

b. Every FSE with a grease interceptor shall fully pump out and clean its grease interceptor not less than once every six (6) months.

c. As a default, FSEs will fully pump out and clean grease interceptors on a quarterly basis unless the City approves a different maintenance schedule based on data which demonstrates that requirements under subsection (I)(6)(a) of this section can be met under a different maintenance

schedule and guidelines adopted by the City pursuant to the FOG control program. The City may change the required maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG control program. Based on the actual generation of FOG from the FSE, the required maintenance frequency may increase or decrease.

d. The owner, operator or FOG WDP permittee of an FSE may submit a request to the Director for a change in the required maintenance frequency at any time. The FSE has the burden of responsibility to demonstrate that the requested change in frequency reflects actual operating conditions based on the average FOG accumulation over time and meets the requirements described in subsection (l)(6)(a) of this section, and that it is in full compliance with the conditions of its FOG WDP and this article. Upon determination by the Director that the requested revision is justified, the FOG WDP shall be revised accordingly to reflect the change in required maintenance frequency.

e. If the grease interceptor, at any time, contains FOG and solids accumulation exceeding the requirements described in subsection (l)(6)(a) of this section, the FSE shall be required to have the grease interceptor serviced immediately such that all FOG and other materials are completely removed from the grease interceptor. If deemed necessary, the Director may also increase the required maintenance frequency of the grease interceptor.

7. Wastewater, accumulated FOG, floating materials, sludge/solids, and other materials removed from the grease interceptor shall be disposed of by waste haulers at an approved disposal site in accordance with all applicable Federal, State, and/or local laws.

8. The Director may direct City staff to service an FSE's grease interceptor if, in the opinion of the Director, the FSE has failed to comply with the terms of the FOG WDP or with this article. The FSE shall be responsible for any and all expenses of the City in undertaking such work.

J. Grease Trap Requirements.

1. No new construction, change in operation or remodel of an FSE shall include installation of a grease trap without prior express written permission from the Director.

2. Existing grease traps shall be maintained in efficient operating condition by daily removal of the accumulated grease.

3. Grease traps shall be maintained free of all food residues and any FOG waste removed during the cleaning and scraping process.
4. Grease traps shall be inspected periodically by the owner to check for leaking seams and pipes, and for effective operation of the baffles and flow regulating device. Grease traps and their baffles shall be removed and cleaned during the maintenance process.
5. Dishwashers and food waste disposal units shall not be connected to or discharged into any grease trap.

K. Variance and Waiver of Grease Interceptor or Grease Trap Requirement.

1. Variance from Grease Interceptor or Grease Trap Requirements. An FSE may request that the Director grant a variance from the grease interceptor or grease trap requirement to allow alternative pretreatment technology in lieu of a grease interceptor or grease trap, if the FSE demonstrates that the alternative equals or exceeds the effectiveness of a grease interceptor or grease trap, and that it is impossible or impracticable to install, operate or maintain a grease interceptor or a grease trap. The Director's determination to grant a variance will be based upon, but not limited to, evaluation of the following conditions:

- a. There is no adequate space for installation and/or maintenance of a grease interceptor or a grease trap;
- b. There is no adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor or the grease trap and/or between the grease interceptor or the grease trap and the private collection lines or the public sewer; and
- c. The FSE can prove that the alternative pretreatment technology is equally or more effective than a grease interceptor or a grease trap in controlling its FOG discharge. In addition, the FSE must be able to demonstrate, after installation of the proposed alternative pretreatment, its effectiveness to control FOG discharge through downstream visual monitoring of the public sewer, for at least three (3) months, at its own expense. A variance may be granted if the results show no visible accumulation of FOG in its lateral and/or tributary downstream sewer lines. Any variance issued pursuant to this section may be revoked at any time in the discretion of the Director.

2. Conditional Waiver of Requirement to Install Grease Interceptor or Grease Trap. A conditional waiver of the requirement to install a grease interceptor or a grease trap may be granted for FSEs that the Director determines to have negligible FOG discharge and insignificant impact to the public sewer. Although a waiver from installation of a grease interceptor or a grease trap may be granted, the FSE may be required to provide space and plumbing segregation for future installation of a grease interceptor or a grease trap. The Director's determination to grant, deny, or revoke a conditional waiver shall be based upon, but not limited to, evaluation of the following conditions:

- a. Quantity of FOG discharge as measured or indicated by the size of the FSE based on water usage, menu, seating capacity, number of meals served, amount of on-site consumption of prepared food, number of plumbing fixtures and other conditions that may reasonably be shown to contribute to FOG discharges.
- b. Adequacy of implementation of BMPs and compliance history.
- c. Sewer size, grade, condition based on visual and other information, FOG deposition in the sewer by the FSE, and history of maintenance and SSOs caused by FOG from the FSE.
- d. Changes in operations that significantly affect FOG discharge.
- e. Any other condition that the Director deems reasonably related to the generation of FOG discharges.

3. Waiver of Grease Interceptor or Grease Trap Installation Requirement with a Grease Disposal Mitigation Fee. Where the installation of a grease interceptor or a grease trap is not feasible and no equivalent alternative pretreatment can be installed, an FSE may be granted a waiver of the grease interceptor or grease trap requirement upon the payment of a grease disposal mitigation fee as described in DMC [14.01.1220\(C\)](#). Additional requirements may also be imposed to mitigate the discharge of FOG into the public sewer. The Director's determination to grant the waiver upon the payment of a grease disposal mitigation fee will be based upon, but not limited to, evaluation of the following conditions:

- a. There is inadequate space for installation and/or maintenance of a grease interceptor or a grease trap;

b. There is inadequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor or the grease trap and/or between the grease interceptor or grease trap and the private collection lines or the public sewer; and

c. A variance from grease interceptor or grease trap installation to allow alternative pretreatment technology cannot be granted.

4. Application for Variance or Waiver of Requirement for Grease Interceptor or Grease Trap. An FSE may submit to the City of Dixon Collections Division an application for waiver or variance from the grease interceptor or grease trap requirement. The FSE bears the burden of demonstrating that the installation of a grease interceptor or a grease trap is not feasible or otherwise required. Upon determination by the Director that reasons are sufficient to justify a variance or waiver, the FOG WDP will be issued or revised to include the variance or waiver and relieve the FSE from the requirement.

5. Terms and Conditions of Variance or Waiver. A variance or waiver shall contain the terms and conditions that serve as the basis for its issuance. 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 FSE remains in compliance with the terms and conditions until the expiration date specified in the variance or waiver. [Ord. 14-009 § 1.]

14.01.1220 Fees.

A. Purpose. It is the purpose of this section to provide for the recovery of costs incurred by the City from users of the public sewer for the implementation of the program established in this article.

B. Charges and Fees.

1. The City may adopt charges and fees by resolution which may include:

a. Fees for reimbursement of costs of setting up and operating the City's FOG program;

b. Fees for consistent removal by the City of pollutants otherwise subject to Federal pretreatment standards;

c. Other fees as the City may deem necessary to carry out the requirements contained in this article.

2. Costs incurred by the City as a result of required on-site sampling and analysis shall be reimbursed to the City by the owner, user or FOG DWP permittee.

C. Grease Disposal Mitigation Fee. Any FSE that operates without a grease control interceptor or a grease trap may be required to pay an annual grease disposal mitigation fee to equitably cover the costs of increased maintenance of the public sewer as a result of the FSE's inability to adequately remove FOG from its wastewater discharge. This section shall not be interpreted to allow new construction or an existing FSE undergoing remodeling and/or a change in operations to operate without an approved grease interceptor or a grease trap unless the Director has determined that it is impossible or impracticable to install and/or operate a grease control interceptor or a grease trap for the subject facility under the provisions of DMC [14.01.1210\(K\)](#).

1. The grease disposal mitigation fee shall be established annually by the Director, and shall be based on the estimated annual increased cost of maintaining the public sewer for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a grease interceptor and/or a grease trap.

2. The grease disposal mitigation fee may be waived or reduced, not more frequently than annually, when the discharger demonstrates to the reasonable satisfaction of the Director that the discharger has used BMPs and waste minimization practices on a regular basis that have significantly reduced the introduction of FOG into the public sewer.

3. The grease disposal mitigation fee may not be waived or reduced when the FSE does not comply with the minimum requirements of this article and/or its discharge into the public sewer in the preceding twelve (12) months has caused or potentially caused or contributed, alone or collectively, sewer blockage or SSOs in the sewer downstream, or in the area surrounding the FSE, in the twelve (12) months prior to the waiver request. [Ord. 14-009 § 1.]