

ORDINANCE NO. 2988-15

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING PORTIONS OF CHAPTER 102, UTILITIES, ARTICLE IV, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF ORDINANCES, AS WELL AS CREATING THE CITY OF WINTER PARK GREASE MANAGEMENT ORDINANCE, SECTIONS 102-115.01 THROUGH 102-115.14; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park's wastewater is processed by City of Orlando, and Winter Park desires to formally adopt the City of Orlando's Maximum Contaminant Levels (MCLs) to ensure Orlando will continue to accept Winter Park's wastewater; and

WHEREAS, the City of Orlando is requiring the City to formally adopt the City of Orlando's Grease Management Ordinance, which are being included in Sections 102-115.01 through 102-115.14 of the Winter Park City Code; and

WHEREAS, this Ordinance promotes the health, safety and welfare of the City residents; and

WHEREAS, words with double underline shall constitute additions to the original text and strike through text shall constitute deletions to the original text, and asterisks (* * *) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby adopted and confirmed.

Section 2. Portions of Chapter 102, Utilities, Article IV, Sewers and Sewage Disposal, are hereby amended to read as shown on Exhibit "A" attached hereto, and the City of Winter Park Grease Management Ordinance is created, being codified at Sections 102-115.01 through 102-115.14.

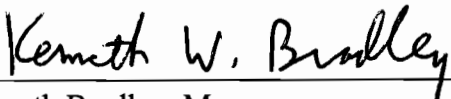
Section 3. Incorporation Into Code. This ordinance shall be incorporated into the Winter Park City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 5. Conflicts. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

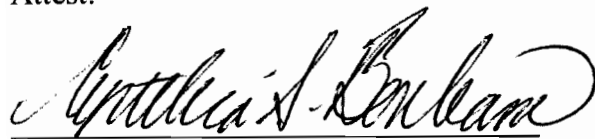
Section 6. Effective date. This ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, held at City Hall, Winter Park, Florida, on the 9th day of February, 2015.



Kenneth Bradley, Mayor

Attest:



Cynthia Bonham, City Clerk

EXHIBIT "A"

Division 1

- 102-86 Definitions
- 102-87 Scope
- 102-88 Penalties
- 102-89 Powers and Authority of inspectors
- 102-90 Enforcement
- 102-91 Allocation of sewage treatment capacity
- 102-92 ~~Connection~~ Impact Fees
- 102-93 Use of public sewers required
- 102-94 Private sewage disposal
- 102-95 Building sewers and connections
- 102-96 Protection from damage
- 102-97 Unauthorized use of sewer system
- 102-98 Renewal of occupational license subject to adequate pollution control facilities

Division 2

- 102-111 Discharge of storm water, drainage and other waters
- 102-112 Prohibited discharges – Generally
- 102-113 Same – Specific substances
- 102-114 Pretreatment
- 102-115 Interceptors
- 102-116 Industrial wastewater discharge permits
- 102-117 Control manholes
- 102-118 Measurements, tests and analyses
- 102-119 Special Agreements
- 102-120 Frequency of measurements
- 102-121 Spill containment plan
- Secs. 102-122--102-130. Reserved.

DIVISION 1. GENERALLY

Sec. 102-86. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abnormal strength wastes means wastes containing BOD above 300 mg/l and any waste containing fats, waxes, grease or oil in excess of 100 mg/l and suspended solids above 300 mg/l.

Act or the act means the Federal Water Pollution Control Act, also known as the Clean Water Act (CWA), 33 USC 1251 et seq., as amended.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

Building drain means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and which conveys it to the building sewer beginning ten feet outside the building wall.

Building sewer or lateral means the extension from the building drain to the public sewer or other place of disposal.

Garbage means solid waste from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

Indirect discharge means the discharge or the introduction of nondomestic pollutants from any source regulated under section 307(b) or (c) of the act (33 USC 1317) into the POTW including holding tank waste discharged into the system.

Industrial user means a source of nondomestic wastes entering the publicly owned treatment works, provided that such source is regulated under section 307(b) or (c) of the act (33 USC 1317).

Industrial wastes means the liquid wastes resulting from the processes employed in industrial, trade or business establishments.

Interference means the inhibition or disruption of the POTW treatment processes or operations or contributing to a violation of any requirement of an NPDES permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with section 405 of the act (33 USC 1345) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

Multifamily dwelling means any structure or group of structures with the capacity to house eight or more families in a residential setting.

National categorical pretreatment standard or pretreatment standard means any regulation containing pollutant discharge limits promulgated by the Environmental Protection Agency in accordance with section 307(b) and (c) of the act (33 USC 1347) which applies to a specific category of industrial users.

Natural outlet means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

pH means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Pretreatment or treatment means the reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 CFR 403.6(d).

Private sewage disposal system means a watertight receptacle which receives the discharge of a drainage system or part thereof and which is designed and constructed to separate solids from the liquid, digest organic matter through a period of detention and allow the liquids to discharge into the soil outside of the tank through a system of open-joint or perforated piping or a disposal pit.

Properly shredded garbage means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half inch in any dimension.

Public sewer means a common sewer directly controlled by public authority.

Publicly owned treatment works (POTW) means a treatment works as defined by section 212 of the act (33 USC 1292) which is owned in this instance by the city or which treats sewage from the city but is owned by another local government. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. POTW also includes any sewers that convey wastewaters to the POTW from persons outside the city who are, by contract or agreement with the city, users of the city's POTW.

Sanitary sewage means any combination of water-carried wastes from residences, business buildings, institutions and industrial establishments containing animal or vegetable matter or chemicals in suspension or solution, together with such groundwaters, surface waters and stormwaters as may be unintentionally present.

Sanitary sewer means a sewer which carries sewage and to which stormwaters, surface waters and groundwaters are not intentionally admitted.

Sewage treatment plant means any arrangement of devices and structures used for treating sewage.

Sewage works means all facilities for collecting, pumping, treating and disposing of sewage.

Sewer means a pipe or conduit for carrying sewage, industrial water or stormwater.

Significant industrial user means any industrial user of the city's wastewater disposal system who:

- (1) Has a discharge flow of 25,000 gallons or more per average workday;
- (2) Has a flow greater than five percent of the flow in the city's wastewater treatment system;
- (3) Has in his wastes toxic pollutants as defined pursuant to section 307 of the act or state law and rules; or
- (4) Is found by the city or the state department of environmental regulation to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality or air emissions generated by the system.

Slug means any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds more than five times the average 24-hour concentration or flows during normal operation.

Standard Methods means the current edition of Standard Methods for the Examination of Water and Wastewater as published jointly by the American Public Health Association, Water Pollution Control Federation, and American Water Works Association.

Storm drain, also termed storm sewer, means a sewer which carries stormwaters and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Superintendent Director means the Director of ~~public works~~ water & wastewater utility department or his authorized deputy, agent or representative.

Suspended solids means solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

Toxic pollutant means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other acts.

Watercourse means a channel in which a flow of water occurs either continuously or intermittently.

(Code 1960, § 22-1.1; Ord. No. 1963, § 1, 1-14-92)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 102-87. Scope.

The intent of this article is to prescribe procedures for safe and sanitary collection and treatment of sanitary sewage and other liquid wastes and to provide for the fees and other charges required to finance such collection and treatment services. The provisions of this article are applicable within the corporate territorial limits of the city and within the limits of the sewer service area established by the city pursuant to F.S. § 180.02(3). Violations of this article are subject to appropriate penalties as prescribed by sections 1-7 and 102-88 of this Code.

(Code 1960, § 22-1)

Sec. 102-88. Penalties.

(a) Any person found to be violating any provision of this article, except section 102-96, shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(b) Any person found to be in violation of any provision of this article shall be guilty of an offense and on conviction thereof shall be fined in the amount not exceeding \$500.00 for each violation. Each day in which any violation shall continue shall be deemed a separate offense. The violation of this article shall, in addition to the penalties prescribed in this section, be subject to abatement by injunction order of a court of competent jurisdiction.

(c) Any person violating any of the provisions of this article shall become liable to the city for any expense, loss or damage occasioned the city because of such violation. In addition, the city may recover reasonable attorneys' fees, court costs and other expenses of litigation by appropriate suit at law against the person found to have violated this article or the orders, rules, regulations or permit issued under this article.

(d) A surcharge may be imposed upon institutional, commercial or industrial users discharging abnormally high-strength sewage according to the following:

(1) The surcharge in dollars for fats, wax, grease, oil and solvent-soluble substances shall be computed as follows:

Total oil and grease above 100 mg/liter times the metered water used during the billing period in millions of gallons times a treatment surcharge factor.

(2) Billing will be monthly, based on monthly charges, payable within 30 days or be subject to a late penalty of 1 1/2 percent per month or fraction of a month to be added.

(e) Sampling and analyses shall be conducted according to the following:

(1) ~~Routine~~Periodic sample collection will be practiced by city forces to include the discharge from sewer customers known or suspected of producing abnormal strength wastes. Such collection may include grab or composite sampling taken manually or by the use of special automatic sampling equipment. Institutional, commercial, multifamily and industrial customers may be required to install such suitable automatic sampling equipment at the discretion of the ~~d~~Director of ~~public works~~, such installations to be accessible only to those designated employees of the city.

(2) The city's representatives shall sample all accounts known or suspected of having abnormal strength wastes on a monthly basis. Should a sample show unusually high strength, additional samples shall be taken until the strength levels are within the limits established in division 2. The average of these tests will be used to determine whether a surcharge is due and, if so, the amount thereof. The customer may request additional samples and include the results thereof in calculating the average strength in the month in which taken, provided the cost of such additional samples shall be paid for by the customer at the rate then prescribed by the ~~city~~laboratory.

(3) Laboratory analytical work will normally be done by ~~city employees at the city an~~independent laboratory. ~~Should the city's facilities not be equipped for any special test or should the customer request analyses by an independent private laboratory, such tests shall be made and the cost thereof directly assessed to the customer involved.~~

(f) If the discharge from any user causes a deposit, obstruction or damage to any of the city wastewater collection or treatment facilities, the ~~d~~Director of ~~public works~~ shall cause the deposit or obstruction to be promptly removed or cause the damage to be promptly repaired, at the sole cost of the person or user causing such deposit, obstruction or damage.

(g) In addition to remedies available to the city as set forth elsewhere in this article, if the city is fined by the state, or the Receiving Treatment Authority, the City of Orlando, the City of Altamonte Springs, the South Seminole North Orange County Wastewater Transmission Authority, the EPA or any other agency for a violation of water quality standards as the result of a discharge of pollutants, the fine and all city legal, sampling, analytical testing and any other related costs shall be charged to the responsible user. Such charges shall be in addition to and not in lieu of any other remedies the city may have under this article or under any statutes or regulations at law or in equity.

(h) The remedies provided in this article shall not be exclusive, and the city may seek whatever other remedies are authorized by statute, at law or in equity, against any person or user violating the provisions of this article.

(Code 1960, § 22-8)

Sec. 102-89. Powers and authority of inspectors.

(a) The ~~d~~Director of ~~public works~~ and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, testing and records examination in accordance with the provisions of this article. The ~~d~~Director or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other

industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastewater treatment. Upon written request by a person furnishing a report, permit application or questionnaire, those portions of any document which might disclose trade secrets or secret processes, to the extent permitted by state law, shall not be made available to the public. The physical and chemical characteristics of a discharger's wastewater will not be recognized as confidential information or as a trade secret.

(b) While performing the necessary work on private properties referred to in subsection (a) of this section, the ~~superintendent~~ Director or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the city employees, and the city shall indemnify the company against loss or damage to its property by the city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in section 102-117.

(c) The ~~Directorsuperintendent~~ and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds negotiated easement for the purpose of but not limited to inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within the easement. All entries and subsequent work, if any, on the easements shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(Code 1960, § 22-7)

Sec. 102-90. Enforcement.

(a) The city may suspend the wastewater treatment service and an industrial wastewater discharge permit when such suspension is necessary, in the opinion of the ~~d~~Director of public worksUtilities, in order to stop an actual or threatened discharge which represents or may present an imminent or substantial danger to the health or welfare of persons, to the environment or which causes interference to a POTW or causes the violation of any condition of an NPDES permit. Service may also be suspended when the city finds that facilities have been connected to its sewer system without prior approval from the city for the connection.

(b) Any person notified of a suspension of the wastewater treatment service or the industrial wastewater discharge permit shall immediately stop or eliminate the discharge. If the person fails to voluntarily comply with the suspension order, the city shall take such steps as deemed necessary, including immediate severance of the sewer connection and water connection, to prevent or minimize damage to the POTW system or endangerment of any individual. The city may reinstate the industrial wastewater discharge permit, the water service and the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the discharge and the measures taken to prevent any future occurrence shall be submitted to the ~~d~~Director of public worksUtilities within 15 days of the date of occurrence.

(c) Any user who violates the following conditions or applicable local, state and federal laws, regulations and case decisions is subject to having his permit revoked in accordance with the procedures outlined in section 94-41(b)--(d) and (f):

(1) Failure of a user to factually report the wastewater constituents and characteristics of his discharge;

- (2) Failure of the user to report significant changes in operations or wastewater constituents and characteristics;
 - (3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring;
 - (4) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts;
 - (5) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or
 - (6) Violation of conditions of the permit.
- (d) As required by EPA pretreatment regulations, the city shall provide public notification of industrial waste discharges which, during the previous 12 months, were significantly violating the city ordinances or the industrial wastewater discharge permit conditions. Notification will be made by publishing the names of the industrial users and facilities responsible for the violations in the largest daily newspaper published in the county. A significant violation is defined as a violation which:
- (1) Remains uncorrected for 45 days after notification of noncompliance;
 - (2) Is part of a pattern of noncompliance over a 12-month period;
 - (3) Involves a failure on the part of the discharger to accurately report noncompliance; or
 - (4) Requires the city to exercise its authority to require emergency suspension of service to a discharger.
- (Code 1960, § 22-7.1)

Sec. 102-91. Allocation of sewage treatment capacity.

- (a) When the city commission determines that the unused and uncommitted sewage treatment capacity available to city utilities is less than the capacity required to service new development within the preceding three years, the city commission shall, by resolution, adopt standard policies and procedures to be followed in allocating and committing the remaining unused sewage treatment capacity until such time as more than a three-year supply becomes available. The purpose of this sewer allocation policy shall be to spread available capacity equitably over a number of years and a larger number of properties. The policies may distinguish between sewage collection systems according to their available capacity restraints. Factors to be considered in allocating capacity shall include but not be limited to compatibility with existing land use plans, public benefit of the project, impact on the immediate neighborhood of the project and impact on the city.
 - (b) The ~~d~~Director of public works shall make an annual report to the city commission, no later than February 28 of each year, concerning the previous year's allocation and use of sewage treatment service, including an analysis of sewage capacity remaining and an estimation of the time period such sewage treatment capacity is likely to allow for new development. This report shall allow the city commission to effectively manage available sewage treatment capacity in recognition that this commodity can be in short supply and must be managed to maximize the public benefit.
- (Code 1960, § 22-9(5))

Sec. 102-92. ~~Connection~~ Impact Fees.

- (a) *Purpose.* To share in the capital costs of existing and future sewage collection, treatment and disposal facilities, a ~~connection~~ Impact Fee shall be charged to every property owner, except as otherwise provided, whose property first receives sewer service from systems owned or

controlled by the city after December 22, 1981. The ~~connection~~ Impact Fees shall be used only for construction of new wastewater collection, treatment and disposal facilities and not for repair and replacement of existing facilities.

(b) *Amount.* ~~Connection~~ Impact Fees for sewer service shall be as set forth in the City of Winter Park fee schedule. Impact Fees shall be computed on the following basis:

~~Fee for Each Dwelling Unit or
Equivalent Residential Connection (ERC)~~
TABLE INSET:

Classification	Inside City	Outside City
Single family	\$2,700.00	\$3,375.00
Multiple dwelling	2,700.00	3,375.00
ERC	2,700.00	3,375.00

The number of dwelling units shall be determined using the definitions in section 102-132. Equivalent residential connection (ERC) shall be calculated utilizing the following formula with reference to the standard plumbing code as adopted and amended by the city:

$$\text{One ERC Unit} = \frac{\text{Total Number of Fixture Units} \times 21}{333}$$

In no event will the connection fee for sewer service be less than one ERC.

(c) *Exceptions.* Any applicant for a sewer connection whose property was located within the city on December 22, 1981, and where construction was started prior to December 22, 1981, on the building to be connected to the sewer shall not be required to pay the fee provided for in this section. Any applicant for a sewer connection whose property was located outside the city on December 22, 1981, and where construction was started prior to December 22, 1981, on the building to be connected to the sewer shall only be required to pay connection fees in the amount which would have been charged by General Waterworks Corporation on December 1, 1981, provided that such application for a sewer connection permit is filed prior to February 1, 1982.

(d) *Due date.* Such charges shall be in addition to all other charges and shall be paid when the sewer connection permit is issued, unless payment thereof is deferred by the city in accordance with its economic development incentive policy.

(Code 1960, § 22-9(2)--(4); Ord. No. 1963, § 4(22-9(1)), 1-14-92; Ord. No. 2484-02, § 2, 10-8-02; Ord. No. 2524-03, § 1, 7-14-03)

State law references: User fees authorized, F.S. § 166.201.

Sec. 102-93. Use of public sewers required.

(a) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the city or in any area under the jurisdiction of the city any human or animal excrement, garbage or other objectionable waste.

(b) It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any sewage except where suitable treatment has been provided in accordance with the provisions of this article.

(c) Except as provided in this article, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(d) Flush toilets shall be required within the city in all houses, buildings or structures used for human occupancy, employment, recreation or other purposes, and such flush toilets shall be connected to the public sanitary sewer at the owner's expense as and when required by the provisions of section 102-94(c), subject, however, to the following exceptions and limitations: If the house, building or structure is not situated on property abutting a street, alley or road right-of-way wherein there is located a public sanitary sewer or if the house, building or structure is not within 100 feet of the public sanitary sewer, such connections shall not be required; further, if the connection of the house, building or structure requires unusual and costly plumbing such as a lift station, force main or similar plumbing facilities, either the city shall bear such expense and allocate its costs through the public sanitary sewer system or no connection shall be required. (Code 1960, § 22-2)

Sec. 102-94. Private sewage disposal.

(a) Where a public sanitary sewer is not available under the provisions of section 102-93(d), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section, and no sewer fees and charges provided for in sections 102-131 and 102-132 shall be imposed.

(b) The type, capacities, location and layout of a private sewage disposal system shall comply with all state and county requirements.

(c) Notwithstanding the provisions of section 102-93, existing residences, places of business and other structures served by adequate private sewage disposal systems, including septic tanks, constructed prior to the construction and availability of a public sanitary sewer shall not be required to connect to the public sanitary sewer until such time as the private sewage disposal system requires maintenance or repair or is abandoned or is condemned by regulatory health authorities. When such private sewage disposal system becomes inoperative, requires maintenance or repair, is abandoned or is condemned by regulatory health authorities, connection with the public sanitary sewer shall be made within 15 days following notice by the city to the property owner. If such connection is not made, the city shall cause all water service thereto to be discontinued until such connection is provided and until all connection and reconnection charges are paid.

(d) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the city.

(e) The owners of Private Sanitary Sewer Collection Systems within the Utility Service Area shall be responsible for the proper maintenance and operation of said systems. The owners shall be required to maintain said systems to minimize inflow and infiltration.

(f) Any person seeking a permit from the City for installation of a private collection system or owning a private sewer collection system on the effective date of this article shall record in the public records of Orange County a document delineating the private collection system and indicating the exact location of any and all lift stations included within the system. The owner shall provide a copy of the recorded document to the City Utility Department. The Utility Department will maintain documents pertaining to private collection systems located within the Utility Service Area.

(g) The owners of private collection systems shall be required to develop and follow a sewerage spill contingency plan for such systems addressing and remediating sewerage spills caused by

but not limited to line failure, line collapse, line obstruction, surcharge, power failure and/or mechanical failure. A copy of this plan shall be provided to the Utility Department.

(h) The Owner of Private Sanitary Lift Stations shall provide a copy of the contract with a reputable person or firm experienced in the operation, maintenance, and repairs of lift stations for review prior to committing to contract for service. The contractor must provide proof of a minimum of two (2) years experience in lift station operation and maintenance to include pump and electrical experience. The contractor must have access to equipment to pull and service pumps as well as well pumping and hauling lift station waste. The contractor must be able to have a twenty four (24) hour, seven (7) days a week response time and be able to respond to site within two (2) hours after notification of spill or overflow. The owners of all private lift stations shall maintain a written maintenance record and shall make same available to the City in the enforcement of the provisions of this section. These records shall be maintained for a period of three years.

(i) Provide the city of Winter Park with a twenty four (24) hour emergency contact phone number of the property owner and contractor.

(j) Upon expiration or change of status of the contractor, the Owner of the Private Sanitary Lift station must notify the City of Winter Park Industrial Waste division within 72 hours of change.

(k) The owner of the Private Sanitary Lift Station must have a sign posted on or adjacent to the lift station, preferably on the control panel, with lettering legible from a distance of 30 feet. The sign is to include the following:

1. Private Lift Station

2. In Case of Emergency Call _____

3. Owner or Business Name and phone number

4. Contractors name and phone number

5. The City will provide the owner of the private lift station a unique identification number for the lift station sign.

(l)The City will conduct annual inspections on private lift stations and charge an annual inspection fee. The annual inspection fee will be incorporated in the City of Winter Park Fee Schedule. The City will have the right to inspect all private wastewater collection systems and appurtenances, and discontinue sewer service if the private wastewater collection system is not maintained in a sanitary and effective operating condition or if the public sewer facilities may be harmed thereby.

(em) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the health officer of the county.

(Code 1960, § 22-3; Ord. No. 1963, § 2, 1-14-92)

Sec. 102-95. Building sewers and connections.

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the building official.

(b) There shall be two classes of sewer permits as follows:

(1) For residential service; and

(2) For commercial service and service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the building official. A permit fee for a

residential building sewer permit and a permit fee for a commercial or industrial building sewer permit shall be paid to the city at the time the application is filed, which fees shall be as prescribed by the city commission. The permit fee shall pay the administrative cost in processing the permit application and the cost of sewer lateral location and shall be in addition to the other costs and expenses incident to the installation and connection to the building sewer, such as the cost of time and materials required and county right-of-way utilization fees.

(c) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(d) A separate and independent building sewer shall be provided for every building. This shall not apply if one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. In such situation, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(e) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the building official, to meet all requirements of this article.

(f) The size, slope, alignment and materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

(g) Whenever possible, the building sewer shall be brought to the building at an elevation below any basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(h) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(i) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the building official before installation.

(j) The applicant for the sewer permit shall notify the building official when the building sewer is ready for inspection and connection to the sanitary sewer. The connection shall be made under the inspection and approval of the building official or his representative.

(k) All excavations for building sewer installation shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city. (Code 1960, § 22-4; Ord. No. 1963, § 3, 1-14-92)

Sec. 102-96. Protection from damage.

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works.

(Code 1960, § 22-6)

Sec. 102-97. Unauthorized use of sewer system.

It shall be unlawful for any person to tap, cut or in any way use any line, branch or part of the sanitary sewer system without obtaining a written permit and paying all fees, rates and charges established by the city.

(Code 1960, § 22-15)

Sec. 102-98. Renewal of occupational license subject to adequate pollution control facilities.

After any occupational license is issued, a copy of the application shall be forwarded to the environmental division, ~~public works department~~ wastewater utility, and if alteration of occupational activities would create pollution problems, modification of the facilities such as grease traps and other pretreatment facilities may be required. Where facilities require updating or additional equipment to meet pollution standards, such changes shall be made prior to the renewal of any occupational license.

(Code 1960, § 22-16)

Secs. 102-99--102-110. Reserved.

DIVISION 2. DISCHARGE REGULATIONS

Sec. 102-111. Discharge of stormwater, drainage and other waters.

(a) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage or unpolluted cooling water to any sanitary sewer.

(b) Stormwater and all unpolluted drainage shall be discharged to storm drains or to a natural outlet approved by the city engineer. Unpolluted industrial cooling water or unpolluted industrial process water may be discharged, on approval of the city engineer, to a storm drain or natural outlet.

(Code 1960, § 22-5(1), (2))

Sec. 102-112. Prohibited discharges--Generally.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

(2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant.

(3) Any waters or wastes having a pH lower than 6.0 or higher than 8.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(4) Solids or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works, such as but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, etc.

(Code 1960, § 22-5(3))

Sec. 102-113. Same--Specific substances.

No person shall discharge or cause to be discharged to any public sewer the following described substances, materials, waters or wastes if it appears likely in the opinion of the ~~superintendent~~Director that such wastes can harm either the sewers, sewage treatment process or equipment; have an adverse effect on the receiving waters; or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the ~~superintendent~~ Director will give consideration to such factors as to quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

- (1) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius) or a flash point lower than 180 degrees Fahrenheit (ASTM open cup).
- (2) Any waters or wastes containing fat, wax, grease or oil, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (zero degrees and 65 degrees Celsius).
- (3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower or greater shall be subject to the review and approval of the building official.
- (4) Any waters or wastes containing strong acid, iron pickling wastes or concentrated plating solutions, whether neutralized or not.

Refer to the City of Winter Park Industrial Waste Specific Contamination List Policy for Maximum Allowable Concentrations.

- ~~(5) Wastewater in excess of the concentration set forth in the following table unless:~~
- ~~a. An exception has been granted the user under the provisions of section 102-119; or~~
 - ~~b. The wastewater discharge permit of the user provides as a special permit condition a higher interim concentration level in conjunction with a requirement that the user construct a pretreatment facility or institute changes in operation and maintenance procedures to reduce the concentration of pollutants to levels not exceeding the standards set forth in the table within a fixed period of time.~~

TABLE INSET:

Parameter	Maximum Concentration in Milligrams/Liter
Ammonia (An).....	0.5
Antimony (Sb).....	1.0
Arsenic (As).....	0.25
Barium (Ba).....	10.0
Beryllium (Be).....	0.25
Boron (B).....	1.0
Cadmium (Cd).....	5.0

Chromium (Cr).....	3.0—
Cobalt (Co).....	0.3—
Copper (Cu).....	3.0—
Cyanide (CN).....	2.0—
Lead (Pb).....	0.4—
Lithium (Li).....	0.03—
Manganese (Mn).....	1.5—
Mercury (Hg).....	0.005—
Nickel (Ni).....	0.1—
Selenium (Se).....	0.5—
Silver (Ag).....	5.0—
Tin (Sn).....	5.0—
Zinc (Z).....	3.0—
Oil and grease (petroleum and/or mineral).....	100.0—
Phenol.....	0.5—

~~The constituent limits may be adjusted and additional constituent limits added from time to time based on treatment plant monitoring, water quality requirements, field investigation of industrial users, and any other factors which the superintendent deems of significance with respect to the proper and safe operation of the POTW.~~

(65) Any waters or wastes containing phenols or other odor-producing substances in such concentrations exceeding limits which may be established by the Director superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies having jurisdiction for such discharge to the receiving waters.

(76) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director superintendent in compliance with applicable state or federal regulations.

(87) Materials which exert or cause:

- a. Unusual concentrations of inert suspended solids, such as but not limited to fuller's earth, lime slurries and lime residues, or of dissolved solids, such as but not limited to sodium chloride and sodium sulfate.
- b. Excessive discoloration, such as but not limited to dye wastes and vegetable tannin solutions.
- c. Unusual BOD (in excess of 300 ppm), suspended solids (in excess of 300 ppm), COD or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
- d. Unusual volume of flow or concentration of wastes constituting slugs.

(98) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(Code 1960, § 22-5(4))

Sec. 102-114. Pretreatment.

(a) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in section 102-113 which, in the judgment of the ~~superintendent~~ Director, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to a life or constitute a public nuisance, the ~~superintendent~~ Director may:

- (1) Reject the wastes;
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (3) Require control over the quantities and rates of discharge; and/or
- (4) Require payment under the provisions of section 102-119 or 102-88(d) to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

(b) If the ~~superintendent~~ Director permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the ~~superintendent~~ Director and subject to the requirements of all applicable codes, ordinances and laws.

(Code 1960, § 22-5(5))

Sec. 102-115.01 InterceptorsGrease Management.

(a) This section shall be known and may be cited as the “City of Winter Park Grease Management Ordinance.”

(~~a~~b) Grease, oil and sand interceptors shall be provided when, in the opinion of the ~~superintendent~~ Director, they are necessary for the proper handling of sanitary sewage containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All grease interceptors must be self-recovering units. The size, type and location of each recovery unit shall be approved by the building official and ~~superintendent~~ Director. A sediment/solids removal unit must be installed in series before the recovery unit. All installations must conform to the manufacturer's specifications and to all applicable building codes. Grease interceptors installed prior to the adoption of the ordinance from which this section is derived will be allowed to remain in place.

(~~b~~c) All grease recovery units and interceptors shall be installed to provide ready accessibility to the cover and contents thereof and for servicing and maintaining the grease recovery units or interceptors in proper operating condition. All grease recovery units and interceptors shall be maintained in efficient and continuous operating condition by regular, periodic removal of accumulated contents by the owner at his expense.

(Code 1960, § 22-5(6))

Sec. 102-115.02 Purpose.

This article establishes uniform maintenance and monitoring requirements for controlling the discharge of grease from food service facilities discharging into the City's treatment works and for regulation of grease haulers operating within the City Utility Service area. The objectives of this Ordinance are:

- (1) To prevent the introduction of excessive amounts of grease into Winter Park's treatment works.

- (2) To prevent clogging or blocking of the City's sewer lines due to grease build-up causing sanitary sewer overflows onto streets, into stormwater systems or waterways and into residences and commercial buildings, resulting in potential liability to the City.
- (3) To prevent maintenance and odor problems at wastewater pumping stations due to grease build-up.
- (4) To implement a process to recover costs for any liability incurred by the City for damage caused by grease blockages resulting in sanitary sewer overflows.
- (5) To establish fees for the recovery of costs resulting from the program established herein.
- (6) To register grease haulers operating within the City of Winter Park Utility Service Area.
- (7) To establish enforcement procedures for violations of this article.

Sec. 102-115.03 Applicability.

- (a) The provisions of this article shall apply to all food service facilities discharging into the City's treatment works and to all grease haulers doing business within the City of Winter Park Utility Service Area.
- (b) Where there is a conflict between this article and the Florida Building Code - Plumbing, as amended (current edition), the Florida Building Code - Plumbing, as amended (current edition) shall be applicable.

The City of Winter Park currently regulates the improper discharge of grease into water or wastewater pursuant to the Article IV Sewers and Sewage Disposal, Section 102 in the City's Code of Ordinances, 1960 §22-5 (6) Where there is a conflict between this article and the Technical Services Manual, as amended, this article shall be applicable.

Sec. 102-115.04 Definitions.

For the purposes of this article, certain abbreviations, terms, phrases, words and their derivatives shall have the following meanings:

Biochemical oxygen demand (BOD): means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

Director means the Director of the Water & Wastewater Utility Department or his or her designee.

Food service facility or facility means any business or food service facility which prepares and/or packages food or beverages for sale or consumption. This does not apply to private residences. Food service facilities may include, but are not limited to, food courts, food manufacturers, food packagers, restaurants, grocery stores, bakeries, lounges, meat markets, hospitals, hotels, nursing homes, churches, schools, cafeterias, delicatessens, coffee shops, concession stands 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 facility. Where the facility is a franchise operation, the owner of the franchise is the responsible person or entity. Where the facility is owned by a partnership, corporation, or other type of business entity, the individual who is authorized to legally act on behalf of the business entity under Florida State law shall be the responsible person. 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. Owner shall also mean his or her duly authorized representatives, employees or agents.

Gray water means all 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 fats, oils or grease from animal or vegetable sources.

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.

Grease interceptor means an interceptor whose rated flow exceeds 50 gpm or has a minimum storage capacity of 750 gallons or more and is a device located underground and outside of a facility. It is designed to collect, contain or remove food wastes or grease from the wastewater while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.

Grease trap means an interceptor whose rated flow is 50 gpm or less and is a device located inside a facility and/or under a sink designed to collect, contain, or remove food wastes and grease from the wastewater while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.

IW inspector means a member of the staff of the City's Industrial Waste Inspection Program, designated by the Director to enforce the City of Winter Park Grease Management Ordinance.

Notice of Violation (NOV) means a written notice informing a food service facility owner or grease hauler that a violation of the City of Winter Park Grease Management Ordinance has occurred.

Registered hauler means a grease hauler registered with the City of Winter Park in accordance with this article who is authorized to perform inspection, cleaning, and grease disposal for food service facilities.

Sanitary facilities mean bathrooms, bathroom fixtures, bathroom groups, hand sinks or other similar fixtures or facilities.

Treatment Works mean any part of the City's wastewater system as defined in Section 102 of the City of Winter Park Code.

Sec. 102-115.05 Authority.

- (a) Pursuant to Sections 102-89 and 102-90 of the City of Winter Park Code, the Director, or his or her designee shall have the power, duty and responsibility to administer and enforce the provisions of this article.

Sec. 102-115.06 Facility inspections.

- (a) Entry. Pursuant to Section 102-89 of the City of Winter Park Code, each facility shall allow the Director or his or her designee the right of entry upon real property for the purpose of inspection, observation, records examination, measurement, and sampling in accordance with the provisions of this article.
- (b) Inspections. The IW inspector shall inspect food service facilities on either an unannounced or scheduled basis to verify continued compliance with the requirements of this article. The IW inspector shall inspect all grease traps or interceptors, plumbing connections, the logbook and file, other pertinent data or take samples as necessary. The IW inspector shall record all observations in a written report. Any deficiencies shall be noted, including but not limited to:
- a. Failure to properly maintain the grease interceptor or trap in accordance with the provisions of this article.
 - b. Failure to report changes in operations, or wastewater constituents and characteristics.
 - (1) Chemical Biological Oxygen Demand (CBOD) limit not to exceed 300 mg/L
 - (2) Total Suspended Solids (TSS) limit not to exceed 300 mg/L
 - (3) Grease limit not to exceed 100 mg/L
 - c. Failure to maintain logs, files, records or access for inspection or monitoring activities.
 - d. Inability of existing grease interceptor or trap to prevent discharge of grease into the City's treatment works.
 - e. Any other inconsistency with or violation of this article.
- (c) Re-inspections. The IW inspector shall inspect any repairs, replacements or other deficiencies and shall provide written notice of compliance or noncompliance. In the event of continuing noncompliance, re-inspections will be performed.

Sec. 102-115.07 Grease traps and interceptors.

- (a) Permit Required. Any food service facility that intends to erect, install, remove, convert or replace any grease trap or interceptor is required by Section 102-98 "Renewal of Occupational License Subject to Adequate Pollution Control Facilities" of the City of Winter Park Code to make application to the building official and obtain the required permit. The facility shall submit with its permit

application the appropriate design criteria in accordance with the Florida Building Code - Plumbing, as amended (current edition).

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

(1) New facilities. On or after the effective date of the City of Winter Park Grease Management Ordinance, food service facilities which are newly proposed or constructed, or existing food service facilities which will be expanded or renovated to include a food service facility, where such a food service facility did not previously exist, shall be required to install a grease interceptor or trap according to the requirements of the Florida Building Code - Plumbing, as amended (current edition) and to operate and maintain the grease interceptor or trap according to the requirements contained in this article.

(2) Existing facilities. Food service facilities existing prior to the date of the City of Winter Park Grease Management Ordinance shall be permitted to operate and maintain existing grease interceptors or traps provided their grease interceptors or traps are in good operating condition.

The City may require an existing facility to install a new grease interceptor or trap that complies with the requirements of the Florida Building Code - Plumbing, as amended (current edition) or to modify or repair any noncompliant plumbing or existing grease interceptor or trap when any one or more of the following conditions exist:

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

b. Grease concentrations exceed 100 mg/l on wastewater effluent as determined by sampling performed by the IW inspector.

c. The facility exceeds CBOD, TSS and grease concentrations continually for 6 months resulting in surcharges for excessive discharge.

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

e. The facility has a defective grease interceptor or trap.

f. Remodeling of the food preparation or kitchen waste plumbing system is performed which requires a plumbing permit to be issued by the City of Winter Park.

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

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

(c) Plumbing connections. Grease interceptors or traps shall be installed in accordance with Florida Building Code - Plumbing, as amended (current edition). Wastewater from sanitary facilities shall not be introduced into the grease interceptor or trap under any circumstances.

(d) Grease Trap/Interceptor Tank Sizing. Any fixture that has the potential to introduce organic waste, grease, oil or fat into the Sanitary Sewer System shall be connected to Grease Interceptor/Trap (mop Sink, floor sink/drain, floor cleanout, trench drain, prep sink, three compartment sink, dishwasher, soda or beer run-off,

etc.). Per Florida Plumbing Code, hand sinks are not required to be connected to a Grease Trap/Interceptor.

a. Interior Grease Trap requirements and sizing:

Proposed and future seating capacity (interior and exterior) shall not exceed 40 seats.

1. Calculate the capacity of the device in cubic inches:

$$\frac{\text{(Width)} \times \text{(Depth)} \times \text{(Height)}}{\text{Cu. In.}}$$

2. Convert the capacity from cubic inches to gallons per minute (GPM):

$$\frac{\text{Cu. In.} \div 231}{\text{GPM}}$$

3. Adjust for displacement:

$$\frac{\text{GPM} \times 0.75}{\text{GPM}}$$

* Result is the flow rate required to drain the sink in one minute and the alternate two minute calculation is not accepted.

b. Exterior Grease Interceptor Sizing

(S) X (GS) X (HR/12) X (LF) = Effective capacity of Grease Trap in Gallons

S=Total Seating Number

GS= 18.75 (Gallon values reflect the private use 25% reduction)

HR= Hours of operation/12

LF= (2.0 Interstate Highway, 1.5 other freeway, 1.25 recreational area, 1.0 main highway, 0.75 other roads)

c. In the event the City declares an exterior grease trap or interceptor cannot be installed due to space limitations, the owner may be permitted to use an alternate trap or interceptor. The trap must perform with the same principle as a full size interceptor or trap. The owner will also be required to prove the trap can adequately accept and treat the waste stream generated from the owner's facility without exceeding the CBOD, TSS and Oil limits.

(e) Records maintenance. Each food service facility shall maintain a bound logbook in which a record of all interceptor maintenance is entered. Maintenance information shall include, but not be limited to, date and time of the maintenance, estimated gallonage removed from interceptor or trap, any defects in the grease interceptor or trap, changes in operations, or wastewater constituents and characteristics, receipts from grease haulers, plumbers, parts suppliers, etc., and any other records pertaining to the interceptor. This logbook shall be made available for review upon request. Records shall be maintained for a period of three years. Each facility shall provide, upon request of the IW Inspector within 10 days, drawings of sufficient detail to depict the plumbing layout of the facility.

(f) Grease interceptors. Grease interceptors shall be designed and installed in accordance with the Florida Building Code - Plumbing, as amended (current edition) and shall be operated and maintained as follows:

(1) Pumping and maintenance. Each food service facility shall be responsible for the costs of pumping, cleaning, and maintaining its grease interceptor. All food service facilities that have grease interceptors shall utilize a

registered grease hauler. Pumping services shall include the complete removal of all contents, including floating materials, gray water, bottom sludge, and solids from the interceptor. Grease interceptor cleaning shall include scraping excessive solids from the walls, floors, baffles, and all piping.

It shall be the responsibility of the grease hauler to inspect an interceptor during, or immediately after the pumping procedure to ensure that the interceptor is clean and that all fittings and fixtures inside the interceptor are in working condition and functioning properly. If the interceptor is not functioning properly, the grease hauler shall notify the owner in writing. The notice shall include a sufficient description of the malfunction.

(2) *Interceptor pumping frequency.* Each food service facility shall have its grease interceptor pumped according to the following criteria:

- a. When the settled solids layer exceeds the invert of the outlet pipe (typically eight inches in depth), or;
- b. When the total volume of captured grease and solid material displaces more than twenty-five percent (25%) of the capacity of the interceptor, or;
- c. When the interceptor is not retaining or capturing oils and greases.
- d. At a minimum, every 60 days, with grease sample collection every 30 days. The facility shall have the grease sample tested by an independent laboratory and the results of those tests submitted to the city's IW inspector. The City can reduce or increase the pumping frequency based on the lab analysis after 12 months of testing.

(3) *Inspection.* Grease interceptors shall be inspected by an IW inspector as necessary to assure compliance with this article.

(4) *Disposal.* Wastes removed from each grease interceptor shall be disposed of at a facility permitted to receive such wastes. Grease, solid materials, or gray water removed from interceptors shall not be returned to any grease interceptor, private sewer line or to any portion of the City's treatment works, except for food service facilities that use a two compartment pump truck where the compartments are fully separate with their own valve system, so there is no cross contamination between the gray water with the solids and grease. With this type of equipment, gray water may be re-introduced back into the interceptor as long as the wastewater effluent grease concentrations do not exceed 100 mg/l.

(g) *Grease traps.* Grease traps shall be installed in accordance with the Florida Building Code - Plumbing, as amended, (current edition) 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 manufacturers 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 Building Code - Plumbing, as amended (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) Cleaning and maintenance. Each food service facility shall be solely responsible for the cost of grease trap cleaning and maintenance. Each facility may contract with a registered grease hauler 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 twenty-five percent (25%) of the total volume of the grease trap. Each 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 an IW inspector as necessary to assure compliance with this article and to assure proper cleaning and maintenance is being performed as cited in Section 115-07 (e)(2)d.
- (5) Disposal. Grease and solid materials removed from a grease trap shall be removed by a registered grease hauler unless the grease is in a solid, dry form, mixed with an oil absorbent in an enclosed bag or container, and does not exceed five (5) pounds.
- (h) Additives. Any chemicals, enzymes, emulsifiers, live bacteria or other grease cutters or additives, used for the purpose of grease reduction shall, be approved by the IW inspector prior to their addition to grease interceptors or traps. The City of Orlando Bioaugmentation Additives Evaluation Sampling and Analytical Protocol must be followed prior to the addition of any additive. 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). The City may request a sampling port installed by the food service facility at the facility's expense to demonstrate the additive will work. The City, upon evaluation of all of the information received, shall permit or deny the use of the additive in writing. Permission to use additives may be withdrawn by the City at any time.
- (i) Alternative grease removal devices or technologies. Alternative devices and technologies such as automatic grease removal systems shall be subject to written permission by the Director prior to installation. Permission to use the device shall be based on demonstrated and proven removal efficiencies and reliability of operation. The City may permit 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 grease removal effectiveness, or perform effluent monitoring. Permission to use alternative devices and technologies may be withdrawn by the City at any time.
- (j) Laundries. Commercial laundries shall be equipped with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage (into

the wastewater collection system) of solids 0.5” or larger in size such as rags, strings, buttons, or other solids detrimental to the system.

Sec. 102.115.08 Petroleum Oil – Water Separators.

- (a) Where the installation and use of an oil/water separator is required by this Section, wastes containing residual (trace amounts) petroleum based oil and grease shall be directed to the oil/water separator.
- (b) Commercial users that have the potential to discharge wastes containing residual petroleum based oil and grease, such as commercial laundries, self-service laundries, car washes and automotive related facilities, shall have an approved oil/water separator. Other commercial users and owners of private wastewater collection systems may be required by the Director to install an approved oil and grease interceptor or an oil/water separator, as appropriate, for the proper handling of waste streams containing oil and grease for those facilities that have been found by the Director to be contributing oils and grease in quantities sufficient to cause line stoppages or necessitate increased maintenance on the City’s wastewater system; or are contributing waste streams containing oil and grease in excess of one hundred (100) mg/l by weight.
- (c) Automotive related enterprises, commercial and self-service laundries, and other commercial users, which contribute wastes containing petroleum (hydrocarbon) based oils and greases shall install an oil/water separator. Oil/water separators shall be sized on an individual case by case basis using established design guidelines approved by the Director. A control manhole or inspection box shall be installed downstream and shall be easily accessible for inspections, cleaning and maintenance.
- (d) Minimum removal efficiency for oil and grease interceptors for animal fats and vegetable oils shall be eighty (80%) percent. Minimum removal efficiency for oil/water separators for trace petroleum based wastes shall be ninety (90%) percent.
- (e) The design of oil/water separators shall be based on peak flow and where applicable, capable of treating and removing emulsions. Oil/water separators shall be sized to allow efficient removal (retention) of the petroleum-based oils and grease from the commercial user’s discharge to the POTW.
- (f) Expansion, remodeling, repair, or renovation of an automotive related enterprise, commercial laundry, self-service laundry, or other facilities of a commercial user that potentially may contribute wastes with petroleum based oils and greases where such expansion, remodeling, repair or renovation is subject to a building permit issued by the City of Winter Park building official.

Sec. 102-115.09 Grease interceptor and trap enforcement.

- (a) Whenever the IW inspector determines that a grease interceptor or trap is in need of pumping, maintenance, or replacement, enforcement shall be as follows:

- (1) Notice of Violation (NOV). The IW inspector conducting the inspection shall immediately notify the food service facility owner that a violation exists and issue the owner a NOV stating the nature of the violation.
- (2) Inspection and Re-inspection. If a grease interceptor or trap has to be re-inspected because of deficiencies found during a previous inspection, 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 re-inspection fee shall be charged to the food service facility.
- (3) Sampling fees. Fees for any sampling and analysis of wastewater discharges deemed necessary for the protection of the treatment works shall be charged to the food service facility owner in the amount per sampling event.
- (4) Pump-out and cleaning. A violation involving the lack of proper cleaning and maintenance of a grease trap shall require the food service facility owner to clean out the trap(s) within twenty-four (24) hours of the NOV. If interceptor pumping frequency is not being met, the owner shall be required to have the interceptor pumped out within seventy-two (72) hours of the NOV.
- (5) Repairs and Replacement. The food service facility owner shall be responsible for the cost and scheduling of all replacement of its grease interceptor(s) or trap(s). Replacements required by an IW inspector shall be completed within a reasonable time as established in written guidelines prepared by the Director. The time for corrective action shall commence on the date of receipt of the NOV. Written guidelines shall include provisions for time extensions if the owner responds with an acceptable plan for rectifying the situation.
- (6) Noncompliance. If the food service facility owner continues to violate the provisions set forth in this article, or fails to initiate or complete corrective action in response to a NOV, or a City approved plan to rectify a violation, the Director may pursue one or more of the following options at the Director's sole discretion:
 - a. Pump the grease interceptor and seek reimbursement of the costs from the food service facility owner.
 - b. Assess further inspection fees as provided.
 - c. Terminate sanitary sewer service as provided in Section 102-90 of the City of Winter Park Code.
 - d. Refer any violation by any food service facility or, its owner for enforcement for any or all applicable remedies.

Sec. 102-115.10 Grease haulers.

- (a) Grease hauler registration. Any person, firm, or business desirous of collecting, pumping, or hauling grease interceptor or trap wastes from businesses located within the Utility Service Area shall be required to register with the City. It shall be unlawful for any grease hauler to clean or pump out grease interceptors or traps within the Utility Service Area without being registered. Registrations

shall be effective for a period of three years. The registration required by the City shall be in addition to any other permits, registrations, or occupational licenses required by federal, state, and local agencies having lawful jurisdiction. The registration is not transferable. The Director shall issue stickers to all City of Winter Park registered grease haulers. The stickers shall be displayed in a visible location on all vehicles used to clean interceptors or traps.

(1) *Application.* To register with the City, a grease hauler shall submit a completed application form to the Director. The Director shall approve, deny, or approve with conditions all applications by written notice within forty-five (45) calendar days of the City's receipt of the completed application form. The grease hauler shall be registered prior to providing grease hauling services within the Utility Service Area.

The application shall require, but not be limited to, the following information:

- a. List of all trucks or vehicles used to clean interceptors or traps, which include vehicle make, model, year, identification number, color, tank capacity, proof of insurance, and tag number.
- b. List of all drivers or personnel used to clean interceptors or traps, including proof of valid driver's licenses.
- c. List of all disposal sites.

(2) *Information Update.* Registered grease haulers shall update application information annually from date of issuance of registration.

(3) *Registration renewal.* An application for registration renewal shall be submitted on the appropriate renewal form at least forty-five (45) calendar days prior to the expiration date of the existing registration by each applicant wishing to provide grease hauling services in the Utility Service Area.

(b) *Spill reporting.* Any accident, spill, or other discharge of grease, solids or gray water, which occurs within the City, shall be reported to the City of Winter Park Wastewater Department by the grease hauler as soon as possible but not longer than twenty-four (24) hours after the incident. The grease hauler shall comply with all procedures and reporting requirements contained in federal, state and local regulations. The grease hauler shall be responsible for all clean-up procedures and costs.

(c) *Record keeping.* Grease haulers shall retain and make available for inspection and copying, all records related to grease interceptor or trap pumping and grease disposal. A City of Winter Park grease hauler manifest or approved form shall be required to be signed by the grease hauler certifying the accuracy of the information on the manifest. The manifest shall include, but not be limited to, name, location, date and time of the facility serviced, estimated gallonage removed from interceptor or trap, disposal times, dates, locations, and amounts. These records shall remain available for a period of at least three (3) years. The failure to provide information to the City within ten (10) days of a written request is a violation of this article.

- (d) Vehicle inspection. Grease haulers shall permit the City to inspect grease hauler's registered vehicles.
- (e) Disposal. Wastes removed from each grease interceptor or trap shall be disposed of at a grease disposal facility permitted to receive such wastes. Grease, solid materials, or gray water removed from interceptors or traps shall not be returned to any grease interceptor, trap, private sewer line, or to any portion of the City's treatment works, except for food service facilities that use a two compartment pump truck where the compartments are fully separate with their own valve system, so there is no cross contamination between the gray water with the solids and grease. With this type of equipment, gray water may be re-introduced back into the interceptor as long as the wastewater effluent grease concentrations do not exceed 100 mg/l.
- (f) Grease hauler enforcement. Enforcement actions against grease haulers in violation of this article shall be as follows:
- (1) Notice of violation (NOV). A NOV will be issued to any grease hauler who is found to be in non-compliance with this article. Response to this NOV must be received by the City within ten (10) calendar days of its receipt by the grease hauler. The grease hauler will be required to describe how the violation occurred, verification that the violation has been corrected, and shall provide assurance that steps will be taken to prevent the re-occurrence of the violation.
 - (2) Registration revocation. Any registration issued pursuant to the provisions of this article 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,
 - b. Discharging any grease, liquid, or solid waste into a non-authorized location, or
 - c. Failing to comply with this article.

Sec. 102-115.11 Fees.

Fees associated with this article will be established pursuant to the provisions of the City of Winter Park Fee Schedule, latest revision. The facility shall pay monthly lab testing fees for 12 months and shall provide a copy of the lab results for the city IW inspector to establish a pumping frequency.

Sec. 102-115.12 Enforcement.

- (a) Search or Inspection warrant. The Director, through the City Attorney, may seek to obtain a search or inspection warrant from the appropriate authority to gain access to a facility for the purposes of inspection and monitoring if such lawful entry under Section 102-89 of City of Winter Park Code has been denied by the owner.

- (b) Referral to Code Enforcement Board. The Director may enforce the violation of any provision of this Ordinance against an owner or grease hauler, pursuant to and in the manner provided by Chapter 102-90 of the City of Winter Park Code and the provisions of Chapter 162, Florida Statutes.
- (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 article or other applicable law or regulation.
- (d) Recovery of damages. When the discharge from a food service facility causes an obstruction, damage, or any other impairment to the treatment works, or causes any expense, fine, penalty, or damage of whatever character or nature to the City, the Director shall invoice the owner for same incurred by the City. If the invoice is not paid, the Director shall notify the City Attorney to take such actions as shall be appropriate to seek reimbursement.
- (e) Remedies nonexclusive. The remedies provided for in this Ordinance are not mutually exclusive. The Director may take any, all, or any combination of these actions against a noncompliant person.
- (f) Appeal of revocation or denial of grease hauler registration. Any revocation or denial of grease hauler registration may be appealed in accordance with the City of Winter Park Code. The appellate officer designated to hear these matters shall be the Director. The grease hauler shall have fifteen (15) days from receipt of written notice of denial or revocation of the registration to file an appeal. Failure of the grease hauler to file an appeal within the fifteen (15) day time limit shall constitute acceptance of the decision to deny or revoke the registration.

Sec. 102-115.13 Additional Criminal Offenses.

- (a) Damage to City property. It is unlawful for any person to maliciously, willfully or negligently, break, damage, destroy, deface, tamper with, or remove any city property.
- (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 article, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this article, shall, upon conviction, be subject to a penalty in an amount not to exceed \$500.00, or by imprisonment for not more than sixty (60) days, or by both. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

Sec. 102-116. Industrial wastewater discharge permits.

- (a) *Required.* All industries or multifamily dwellings whose discharge could render them a significant user or whose discharge otherwise may have a deleterious impact on the sewage system, as determined by the ~~superintendent~~ Director, shall obtain a permit prior to discharge of industrial wastewaters.

(b) *Existing industrial wastewater discharges.* All discharges of industrial wastewater into the city's sewer system prior to March 26, 1985, are hereby granted temporary authority to continue to discharge industrial wastewaters in compliance with the city's codes, regulations, and policies. This temporary authority shall expire 90 days after March 26, 1985, unless prior to that date the discharger has filed an application for an industrial wastewater discharge permit pursuant to subsection (7)(d) of this section. In such case, this temporary authority shall expire on the date the industrial wastewater discharge permit is issued. Any person discharging pursuant to the temporary authority provided herein is subject to all provisions of this article, and such authority may be suspended or revoked in accordance with the terms and procedures set forth in section 102-116(c) of the city Code.

(c) *Application.* Persons seeking a permit shall complete and file with the city an application in the form prescribed by the city. The applicant shall submit, where appropriate the following:

(1) Name, address, telephone number and location (if different from address) of the applicant, the owner of the premises from which industrial wastes are intended to be discharged and the name of a local representative duly authorized to act on behalf of the company.

(2) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended.

(3) Average daily and three-minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any.

(4) Schedule of all industrial process waste flows produced before and after pretreatment, if any, at the premises, including the daily volume, and wastewater constituents and characteristics as determined by representative samples and analyses done by a qualified laboratory acceptable to the city and in accordance with Standard Methods.

(5) Estimated time and duration of discharge within a 20-percent tolerance.

(6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation.

(7) Each product produced by type, amount, process and rate of production.

(8) Type and amount of raw materials processed (average and maximum per day).

(9) Number and type of employees and hours of operation of pretreatment system.

(10) Any other information as may be deemed by the city to be necessary to evaluate the permit application.

(d) *Processing and issuance.* The ~~superintendent~~ Director will act only on applications that are accompanied by a report which contains all the information required in subsection (c) of this section. Persons who have filed incomplete applications will be notified by the ~~superintendent~~ Director that the application is deficient and the nature of such deficiency and will be given 30 days to correct the deficiency. Upon receipt of complete applications, the ~~superintendent~~ Director shall review and evaluate the applications and shall propose such special permit conditions as he deems advisable. All wastewater discharge permits shall be expressly subject to all the provisions of this article and all other applicable ordinances, laws and regulations. Upon completion of his evaluation, the ~~superintendent~~ Director shall notify the applicant of any special permit conditions which he proposes be included in the wastewater discharge permit. The applicant shall have 30 days from and after the date of the ~~superintendent's~~ Director's recommendations for special permit conditions to review the conditions and file written objections with the ~~superintendent~~ Director in regard to any special permit conditions recommended by the ~~superintendent~~ Director. The ~~superintendent~~ Director may but shall not be required to schedule a meeting with the applicant's authorized representative within 15 days

following receipt of the applicant's objections and attempt to resolve disputed issues concerning special permit conditions. If the applicant files no objection to special permit conditions proposed by the ~~superintendent~~ Director or a subsequent agreement is reached concerning the conditions, the ~~superintendent~~ Director shall issue a wastewater discharge permit to the applicant with such special conditions incorporated therein. Issuance of a permit shall not relieve the discharger from complying with all applicable laws, regulations and ordinances promulgated by other government authority nor shall the issuance of a permit be construed as a representation by the city that the discharge permitted therein complies with all laws, regulations and ordinances. Permits are issued solely to govern the discharge of wastewater into the sewage system and the applicable receiving waters, as between the discharger and the city, and shall not be construed to benefit any third party.

(e) *Compliance required; amended permit.* No permit holder shall discharge industrial wastewaters in excess of the quantity, rate of discharge or quality conditions specified in the permit. Any person desiring to modify his discharge which would violate conditions of his permit shall apply for an amended permit. Granting of an amended permit is not guaranteed.

(f) *Restrictions.* The restrictions in permits shall be uniformly enforced by the city and may include but shall not be limited to the following:

- (1) The maximum permissible concentration of wastewater constituents.
- (2) Limits on rate and time of discharge or requirements for flow regulation and equalization.
- (3) Requirements for inspection, flow metering and sampling facilities and alternative sampling methods.
- (4) Pretreatment of industrial wastewater before discharge.
- (5) Compliance schedules.
- (6) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, flow metering, number, types and standards for tests and report schedule.
- (7) Prohibition of discharge of certain wastewater constituents.
- (8) Requirements for submission of periodic discharge reports to include information concerning volume, rate of flow, constituent concentrations, peak flow rates, hours of operation, number of employees or other information.
- (9) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the city and affording the city access thereto.
- (10) Requirements for notification of the city for any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.
- (11) Requirements for notification of slug or accidental discharges.
- (12) Other conditions as deemed appropriate by the city to ensure compliance with this article. The city may require that any or all of the pretreatment requirements or restrictions be provided by the user at his sole expense.

(g) *Pretreatment requirements.* If pretreatment is required through the issuance of industrial wastewater discharge permit, users of the POTW shall design, construct, operate and maintain such wastewater pretreatment facilities whenever necessary to reduce, modify or eliminate the user's wastewater discharge to achieve compliance with the limitations in wastewater strength set forth in this section, to meet applicable national pretreatment standards or to meet any other wastewater condition or limitation contained in the user's wastewater discharge permit. If required by the city, plans, specifications and operating procedures for such wastewater

pretreatment facilities shall be prepared by a registered professional engineer and shall be submitted to the superintendent Director for review. The superintendent Director shall review the plans and shall recommend to the user any appropriate changes. Prior to beginning construction of the pretreatment facility, the user shall submit a certified set of construction plans and specifications to be maintained by the superintendent Director. Prior to beginning construction, the user shall also secure such building, plumbing or other permits that may be required by city or county ordinance. The user shall construct the pretreatment facilities within the time provided in the user's wastewater discharge permit. Following completion of construction, the user shall provide the superintendent Director with as-built drawings to be maintained by the superintendent Director. Neither filing of the plans nor the issuance of a permit shall be construed to indicate that the city in any way vouches for or warrants the capabilities of any such plans, specifications or data in any manner. Subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without prior notice to and acceptance by the city.

(h) *Duration.* Permits shall be issued for any specified period of time, not to exceed five years.

(i) *Modification.* The terms and conditions of any permit may be subject to modification and change by the city during the life of the permit to accommodate changed conditions and as local, state, regional and federal laws, rules and regulations and case decisions are modified or amended or if variation occurs in reported data as provided in section 102-120. Permit holders shall be informed of any proposed changes in their respective permits at least 60 days prior to the effective date of change and shall be allowed a comment period relating to any of the proposed changes in their permits within the first 30 days after issuance of such proposed change by the city. The city shall allow a discharger a reasonable period of time to comply with any changes in the permit required by the city, unless otherwise required by emergency or governmental regulations. The permit holder may petition the city for modification of permit based on changed conditions. The superintendent Director shall review such petitions with support data and take appropriate action.

(j) *Transferability.* A separate permit shall be required for each wastewater connection discharging, directly or indirectly, into the sewage system. For each discharger having multiple connections at a single plant or facility, a single permit shall be required which may set forth specific effluent limitations and conditions for discharge from each separate connection. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be assigned or transferred or sold to a new owner, new user or for different premises, unless approved by the superintendent Director, and any such attempted assignment, transfer or sale shall be void and of no effect.

(Code 1960, § 22-5(7))

Sec. 102-117. Control manholes.

(a) The owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes.

(b) Such manhole shall be accessibly and safely located and shall be constructed in accordance with plans approved by the superintendent Director. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times. The owner shall install such manhole within 30 days from the date the lateral connection is made to the sewer. If such manhole is not installed within the time provided, the city shall have the right

to enter into a contract for the installation of the manhole at the owner's expense, and the cost of installing the manhole, together with the administrative cost to the city necessary to process the installation of the manhole, shall be chargeable to the owner, and, if not paid within 30 days from the date such installation is completed, the unpaid costs together with lawful interest thereon shall be a lien upon the property wherein the user is situated. The city shall be entitled to institute foreclosure proceedings for the collection of the unpaid costs and interest thereon, such proceedings to be in accordance with law, and the city shall be entitled to collect reasonably attorneys' fees from the owner for services rendered by the city's attorneys in the institution and prosecution of such foreclosure proceedings.

(c) Liens created under this section shall, upon the request of the user or owner of the property affected and upon payment of all installation and administrative costs and lawful interest thereon, be released by a certificate signed by the city manager or the city finance director and bearing the seal of the city. The issuance of such certificate shall constitute prima facie evidence of existence or nonexistence of any such unpaid costs, and shall, in the absence of fraud perpetrated by the party requesting the certificate, be binding upon the city as to the existence and nonexistence of any lien created under this section.

(Code 1960, § 22-5(8))

Sec. 102-118. Measurements, tests and analyses.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, from suitable samples taken at the control manhole. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analysis involved will determine whether a 24-hour composite of all outfalls of a premises is appropriate or whether a grab sample or other multiple samples should be taken.

(Code 1960, § 22-5(9))

Sec. 102-119. Special agreements.

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefor by the industrial concern.

(Code 1960, § 22-5(10))

Sec. 102-120. Frequency of measurements.

The industrial wastewater discharge permit holder shall make measurements, including but not limited to flow rates, flow volumes, BOD and suspended solids concentrations as well as concentrations of other particular constituents of their industrial wastewater discharges, at their own expense, as frequently as necessary to comply with the terms and conditions of each permit. Should measurements or other investigations indicate that the industrial user has discharged wastewater which has constituents significantly different in quantity or quality from those stated by the discharger, the city shall notify and require the discharger to furnish all information in his possession relevant to the apparent variance.

(Code 1960, § 22-5(11))

Sec. 102-121. Spill containment plan.

All industrial users who pose a threat to the normal operation of the sewer works, process, equipment or receiving waters shall be required to establish a spill containment plan. This plan shall contain the following elements:

(1) *Accidental discharges.* Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this article. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the city for review and shall be approved by the city before construction of the facility. All existing users shall complete such a plan by the date as specified by the industrial wastewater discharge permit. No new user who begins discharge to the POTW after the effective date of the ordinance from which this section is derived shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved.

(2) *Telephone notification.* Any person causing or suffering any discharge, whether accidental or not, which presents or may present an imminent or substantial endangerment to the health and welfare of persons, to the environment or which is likely to cause interference with the POTW shall notify the ~~superintendent~~ Director immediately by telephone. In the absence or unavailability of the ~~superintendent~~ Director, notification shall be given to the city employee then in charge of the treatment works.

(3) *Written report.* Within five days following such occurrence, the user shall provide the ~~superintendent~~ Director with a detailed written report describing the cause of the dangerous discharge and measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to persons or property nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this article or other applicable law. Furthermore, the industrial user shall control its production (or all its discharges) to the extent necessary to maintain compliance with all applicable city, state and federal regulations upon reduction, loss or failure of its treatment facility and until the facility is completely restored or an alternative and equally effective method of pretreatment is provided. This applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

(4) *Notice to employees.* A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call if a dangerous discharge occurs. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

(Code 1960, § 22-5(12))

Secs. 102-122--102-130. Reserved.