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**ORDINANCE
NUMBER. 2023-09**

**AN ORDINANCE AMENDING CHAPTER 18 –
UTILITIES OF THE CITY OF LABELLE
MUNICIPAL CODE RELATING TO FATS, OIL AND
GREASE MANAGEMENT. PROVIDING FOR
ENFORCEMENT; CONFLICT; SEVERABILITY;
CODIFICATION; AND AN EFFECTIVE DATE.**

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RECITALS

WHEREAS, the Board of City Commissioners of the City of LaBelle, Florida is the governing body in and for The City of LaBelle, Florida; and

WHEREAS, the Board of City Commissioners of the City of LaBelle, Florida is authorized pursuant to Chapter 125, Florida Statutes, to enact Ordinances necessary in the exercise of its powers; and

WHEREAS, wastewater discharges containing high concentrations of fats, oils and grease from fats, oil and grease (FOG) Generators such as Food Service Establishments contribute to blockages or sanitary sewer overflows in the City of LaBelle wastewater collection system; and

WHEREAS, the City of LaBelle desires to amend its FOG regulations to address recommendations of its wastewater operator to further protect the public’s interest in its utility infrastructure and operations.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of LaBelle, Florida:

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Section 1. Recitals. The forgoing recitals are hereby ratified and confirmed as being true and correct and hereby made a part of this Ordinance and adopted as legislative findings.

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Section 2. Amendment to the City Code of Ordinances. Chapter 18, Article II, Sewers, Division 1 – Generally, of the City of LaBelle Code of Ordinances is hereby amended with additions depicted as underlined language, deletions as strikethrough, and editorial content in [*bracketed italics*]:

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Section 18-29. Grease Traps. [*except*]

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(h) **Minimum standards.** The Controlling Authority shall approve the installation of a grease trap instead of a grease interceptor at a new Food Service

46 Establishment, as specified in the Florida Building Code. All Food Service
47 Establishments shall comply with the following guidelines:

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- 49 1. Inspection, Cleaning and Maintenance: Each Food Service Establishment
50 shall be solely responsible for the cost of trap installation, inspection,
51 cleaning and maintenance. Cleaning, FOG removal and maintenance must
52 be performed when the total volume of captured grease and solid material
53 displaces more than twenty-five percent (205%) of the total volume of the
54 unit or every ninety (90) days whichever comes first. Each Food Service
55 Establishment grease trap shall determine the frequency at which their
56 grease trap shall be cleaned, but all grease traps shall be opened, inspected,
57 and maintained at a minimum of once per week. Generators shall provide
58 written documentation of the grease trap inspection, maintenance and
59 repairs in accordance with this section.
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- 61 2. Repairs: The Food Service Establishment shall be responsible for all cost
62 and scheduling of all repairs to its grease trap(s). Repairs required by the
63 Control Authority shall be completed within thirty (30) consecutive
64 calendar days after the date of written notice of required repairs is received
65 by the Generator, unless the City approves ~~in writing~~ of a different schedule
66 in writing.
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- 68 3. Disposal: Captured materials removed from a grease trap shall be legally
69 disposed of as solid waste or treated at a certified grease reception or
70 treatment facility.

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72 (i) **Grease interceptors.** Grease interceptors shall be installed at all new Food
73 Service Establishments as specified by the Florida Building Code. All Food
74 Service Establishments shall comply with the following guidelines:

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- 76 1. Inspection, Pumping, and Maintenance: Each Food Service Establishment
77 shall be responsible for the costs of installing, inspecting, pumping,
78 cleaning, and maintaining its grease interceptor(s). Pumping services shall
79 include the initial complete removal of all captured material, including
80 floating materials, wastewater and bottom sludge and solids from the
81 interceptor. Grease interceptor cleaning shall include scraping excessive
82 solids from the walls, floors, baffles and all pipe work. All waste must be
83 removed with nothing to be returned to the interceptor or any part of the
84 publically owned treatment works. It shall be the responsibility of each
85 Food Service Establishment to inspect its grease interceptor during the
86 pumping procedure to ensure that the interceptor is properly cleaned out and
87 that all fittings and fixtures inside the interceptor are in working condition
88 and functioning properly. Generators shall provide written documentation
89 of the grease interceptor inspection, maintenance and repairs in accordance
90 with this section.

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- 2. Interceptor Pumping Frequency: Food Service Establishment interceptor(s) or approved device shall be cleaned pumped-out when any of the following criteria are reached:
 - a. When the floatable grease layer exceeds six inches (6") in depth as measured by an approved dipping method; or,
 - b. When the settleable solids layer exceeds eight inches (8") in depth as measured by an approved dipping method; or,
 - ~~c. When the total volume of settleable solids is more than seventy-five percent (75%) of the total clearance of the outlet pipe located at the bottom of the interceptor; or,~~
 - c. When the total volume of captured grease and solid material displaces more than twenty percent (20%) of the interceptor capacity as calculated using an approved dipping method; or,
 - d. When the interceptor is not retaining/capturing oils and greases; or the oil/grease concentration of the water being discharged, as determined through sampling and analysis, exceeds the limits indicated in this section-; or,
 - e. Every ninety (90) days on a calendar basis if none of the conditions above occur within the preceding ninety (90) day period.

Section 18-30. Enforcement.

Enforcement shall be follow the general procedures and penalties of Section 1-17 of the LaBelle Code. Notwithstanding, the City reserves the right in the discretion of the Superintendent of Public Works to discontinue wastewater service if it is determined that the FOG generator's operation is detrimental to the City's wastewater system.

Section 18-31. Cost recuperation for the City of LaBelle.

The charge for the cost recuperation shall include all costs incurred by the City to remove the captured material from noncompliant users. Costs shall include, but not be limited to: labor material, disposal fees, administrative fees, equipment rental or use fees.

Section 3. Codification. This ordinance shall be incorporated into the City of LaBelle Code. The sections of this Ordinance can be renumbered or re-lettered to the appropriate word or phrase to accomplish codification. Omissions, grammatical, and typographical errors, as well as clarifications of ambiguous wording that do not affect the intent of this Ordinance, may be authorized by the Mayor without need for a public hearing.

Section 4. Severability. In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion

