



# City of Alexandria

301 King St., Room 2400  
Alexandria, VA 22314

## Legislation Text

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File #: 21-0217, Version: 1

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### City of Alexandria, Virginia

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#### MEMORANDUM

**DATE:** SEPTEMBER 30, 2020

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** MARK B. JINKS, CITY MANAGER /s/

**DOCKET TITLE:**

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend Title 5, Chapter 6 of the City Code to update the existing sewage disposal ordinance related to the discharge of Fats, Oils and Grease (FOG) into the sanitary sewer collection system from food service establishments.

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**ISSUE:** Consideration of a proposed ordinance to amend Title 5, Chapter 6 of the City Code to update the existing sewage disposal ordinance related to the discharge of Fats, Oils and Grease (FOG) into the sanitary sewer collection system from food service establishments.

**RECOMMENDATION:** That City Council pass the attached proposed ordinance (Attachments 1 and 2) on first reading, and schedule it for public hearing, second reading and final passage on Saturday, October 17, 2020.

**DISCUSSION:** The introduction and accumulation of fats, oils and grease into the City's sanitary sewer collection system causes and contributes to sanitary sewer blockages, obstructions, and sanitary sewer overflows. Fats, oils, and grease include either liquid or solid kitchen cooking grease or oil, shortening, fat from meats, dairy products oil sauces and other organic polar compounds. A Fats, Oils and Grease (FOG) Source Control Plan was developed by T&ES in 2019 to reduce the frequency of sanitary sewer overflows and sewer backups as well as reduce city operations and maintenance costs associated with increased FOG within the sanitary sewer collection and treatment systems. Recommendations included initiating educational FOG inspections at food service establishments. Approximately 100 inspections were completed in the fall of 2019. Findings from the FOG inspections indicated that while many food service establishments were in compliance, some of the food service establishments inspected required improvements to adequately address FOG discharges. A second round of FOG inspections scheduled for fall 2020 has been deferred until after COVID-19 risks are mitigated. When inspections do resume, these inspections will resume by first focusing on providing education on how to better manage FOG from the site. Notices of violation and corrective action requirements will only occur after multiple site visits show no improvement in how a food service establishment is managing FOG from their site.

Prior to the 2019 inspections, a FOG public education brochure was prepared and included in letters mailed to all food service establishments in the City. T&ES partnered with the Alexandria Health Department in preparing the public education brochure and identifying food service establishments. Best management practices for fats, oils and grease are listed in the FOG public education brochure (Attachment 3) and include:

- prohibiting pouring or scraping FOG wastes down the drain;
- wiping grease out of pots, pans and plates prior to washing;

- posting “No Grease” signs;
- retaining operation and maintenance records; and
- related training of kitchen staffs.

Many food service establishments are required by the Virginia Plumbing Code to install FOG control devices that include grease traps and interceptors. This generally means that newer food service establishments have installed modern FOG equipment, while older food service establishments may not have up to date FOG equipment. These plumbing devices require consistent maintenance and cleaning to ensure proper operation. Costs for installing grease traps vary from \$1,600 to \$2,400. Costs for installing a grease interceptor are more expensive and can be \$4,000 to \$8,500, or significantly more depending on the size and the site. Additional maintenance costs for cleaning are also necessary for these plumbing devices.

Staff proposes updating the existing ordinance to clarify requirements for addressing FOG discharges from food service establishments to improve compliance with avoiding sanitary sewer overflows and sewer backups in the City’s sanitary sewer collection system. The recommended updates to the existing ordinance include the following:

- Clarify FOG management requirements for both new and existing food service establishments
- Clarify City’s authority to inspect food service establishments with respect to FOG
- Provide minimum maintenance and record keeping requirements related to FOG management
- Provide a compliance schedule for food service establishments related to FOG management requirements
- Clarify civil penalties for non-compliance with FOG management requirements

All food service establishments in the City have been provided with notification by mail of the proposed ordinance to amend the City Code. Additional information, including FAQs, have been provided on the City’s website.

**FISCAL IMPACT:** The City already has in place a program to inspect food service establishments for FOG. There is no additional fiscal impact.

**ATTACHMENTS:**

Attachment 1 - Ordinance Cover  
Attachment 2 - Ordinance  
Attachment 3 - FOG Brochure  
Attachment 4 - Presentation

**STAFF:**

Emily A. Baker, Deputy City Manager  
Adrienne Fine, Assistant City Attorney  
Yon Lambert, Director, T&ES  
William Skrabak, Deputy Director, T&ES,  
Erin Bevis-Carver, Acting Division Chief, T&ES  
Rachel Stradling, Alexandria Health Department

Introduction and first reading: 10/06/20  
Public hearing: 10/17/20  
Second reading and enactment: 10/17/20

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to add a new Division 4 – FATS, OILS, AND GREASE (FOG) MANAGEMENT PROGRAM, Article B (SEWAGE DISPOSAL AND DRAINS), Chapter 6 (WATER & SEWER), of Title 5 (TRANSPORTATION & ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, as amended.

Summary

The proposed ordinance amends the ordinance regulating sewage discharges by adding a division that specifically address FOG management for food service establishments. The ordinance clarifies the requirements for both new and existing facilities, establishes minimum maintenance requirements for FOG abatement devices and includes a compliance schedule with defined civil penalties for non-compliance.

Sponsor

Mark Jinks, City Manager

Staff

Yon Lambert, Director, T&ES  
William Skrabak, Deputy Director, T&ES  
Joanna Anderson, City Attorney  
Adrienne Fine, Assistant City Attorney  
Erin Bevis-Carver, Acting Division Chief, T&ES

Authority

City Charter § 2.04 (a), (h) and § 2.07

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

Staff Memo

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended by adding new Division 4 (FATS, OILS, AND GREASE (FOG), FOG MANAGEMENT PROGRAM).

## THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 6 of Title 5 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding a new Division 4 as follows:

**Division 4 - FATS, OILS, AND GREASE (FOG), FOG MANAGEMENT PROGRAM****Sec. 5-6-226 - Purpose.**

The purpose of this division is to aid in preventing the introduction and accumulation of fats, oils and grease into the City's sanitary sewer collection system that may cause or contribute to sanitary sewer blockages, obstructions, and sanitary sewer overflows. All new and existing food service establishments and other industrial or commercial establishments generating wastewater containing fats, oils, and grease are subject to this section.

**Sec. 5-6-227 - Application.**

The FOG management program shall apply to all new and existing food service establishments and other industrial or commercial establishments generating wastewater containing fats, oils, and grease within the City of Alexandria.

**Sec. 5-6-228 - Definitions.**

(a) *Fats, oils, and grease (FOG)* shall mean any material, either liquid or solid, composed of fats, oils, or grease from animal or vegetable sources. Examples of FOG include, but are not limited to: kitchen cooking grease, cooking oil, shortening, fat from meats, dairy products, oily sauces, and any organic polar compounds derived from animal and/or plant sources that contain multiple carbon triglyceride molecules. FOG may be referred to herein as "grease" or "greases".

(b) *Food service establishments (FSE)* shall mean any commercial, industrial, institutional, or food processing facility discharging kitchen or food preparation wastewaters including, but not limited to: restaurants, commercial kitchens, caterers, hotels, cafeterias, prisons or jails, care institutions, hospitals, schools, and churches.

(c) *FOG Best management practices (BMPs)* shall mean a collection of industry accepted practices for handling and disposing of FOG laden wastewaters. Examples include, but are not limited to: prohibiting pouring or scraping FOG wastes down the drain; wiping grease out of

1 pots, pans and plates prior to washing; posting “No Grease” signs; retaining operation and  
2 maintenance records; and related training of kitchen staff.

3  
4 (d) *Grease control device (GCD)* shall mean a device used to collect, contain, or remove food  
5 waste and grease from the wastewater while allowing the remaining wastewater to be discharged  
6 to the sanitary sewer collection system. Devices include, but are not limited to grease  
7 interceptors, grease traps, grease recovery devices, and automatic grease removal devices.

8 (e) *Director* shall mean director of the department of transportation and environmental services  
9 or an authorized designee.

10 (f) *City’s sanitary sewer collection system* shall mean the sanitary sewers owned, maintained,  
11 and operated by the City of Alexandria.

12  
13 **Sec. 5-6-229 - FOG discharge limitations.**

14 No person shall discharge or cause to be discharged from any food service establishment any  
15 wastewater with FOG unless it employs a passive or active system as proscribed in this division.

16 **Sec. 5-6-229.1- Passive system requirements.**

17 (a) *Grease traps.* The size, type, and location of each grease trap must be approved by an  
18 official designated by the city. Grease traps of pre-cast or poured in-place concrete shall be  
19 constructed of sound durable material, not be subjected to excessive corrosion or decay, and  
20 shall be water and gas tight.

21 (b) *Grease interceptor.* A grease interceptor shall be sized and engineered based upon the  
22 anticipated load and/or conditions of actual use and must be approved by an official  
23 designated by the city. A grease interceptor shall receive grease laden waste discharge from  
24 major point sources. A floor drain shall not be considered a major point source.

25 **Sec. 5-6-229.2 - Active system requirements.**

26 (a) *Grease recovery devices.* Grease recovery devices shall be permitted in lieu of grease  
27 interceptors or grease traps as approved by an official designated by the city and in  
28 accordance with the following requirements:

29 (1) *Location.* Grease recovery devices shall receive all grease laden waste discharge from the  
30 major point sources. A floor drain shall not be considered a major point source.

31 (2) *Sizing.* Grease recovery devices shall be sized based upon the anticipated load and/or  
32 conditions of actual use.

33 **Sec. 5-6-229.3- Installation of Active and Passive systems**

34 Food service establishments shall be required to install, operate, and maintain all active or  
35 passive systems in compliance with this division and the Virginia Plumbing Code or its  
36 successors, if applicable, and any other applicable laws. Grease control devices shall be installed  
37 prior to the issuance of a certificate of occupancy.

1 Active and passive systems shall be installed by a plumber licensed in the Commonwealth of  
2 Virginia. Prior to installation of grease control devices, any permits required to be obtained in  
3 accordance with the Virginia Plumbing Code or its successor must be secured. All systems shall  
4 be installed and connected so that it may be readily accessible for inspection, cleaning, and  
5 removal of the intercepted food waste and grease at any time.

6 **Sec. 5-6-229.4- Existing establishments.**

7 Existing food service establishments in operation as of the effective date of this division shall be  
8 allowed to operate and maintain their existing grease control devices, provided such grease  
9 control devices are in proper operating condition and not found to be contributing FOG. If its  
10 grease control device is determined to be inadequately sized or maintained and is contributing  
11 FOG into the sanitary sewer collection system, the offending food service establishment shall  
12 comply with the requirements of this division.

13 **Sec. 5-6-229.5- Retrofitting and renovations by existing establishments.**

14 (a) Existing food service establishments may be required to install or upgrade their active or  
15 passive system in accordance with this division if such food service establishment is contributing  
16 FOG to the sanitary sewer system, as determined by the City of Alexandria.

17 (b) Food service establishments that are renovated or expanded shall, if required by the Virginia  
18 Plumbing Code, install new grease control devices meeting the requirements of such Code.

19 **Sec. 5-6-229.6 - Maintenance of active and passive systems.**

20 (a) All systems shall be maintained at the owner's expense. Maintenance shall include the  
21 complete removal of all contents, including floating material, wastewater, and settled solids.  
22 Decanting or discharging of removed waste back into the grease interceptor or private sewer line  
23 or into any portion of the City of Alexandria sanitary sewer collection system is prohibited.

24 (b) Grease interceptors shall be pumped out completely when the total accumulation of FOG,  
25 including floating solids and settled solids, exceeds twenty-five percent (25%) of the overall  
26 liquid volume. At no time shall a grease control device be cleaned less frequently than once  
27 every 3 months unless allowed by the director for good cause shown. Approval may be granted  
28 at the director's discretion on a case-by-case basis upon submittal of a request by the food  
29 service establishments, documenting reasons for the proposed frequency variance.

30 (c) Grease traps and grease removal devices shall be opened, inspected and completely cleaned  
31 of food solids and FOG a minimum of once per week, unless allowed by the director for good  
32 cause shown. Approval may be granted at the director's discretion on a case-by-case basis upon  
33 submittal of a request by the food service establishments documenting reasons for the proposed  
34 frequency variance. In no event shall the content of food solids and FOG exceed twenty-five  
35 percent (25%) of the overall liquid depth of the device.

36 (d) The director may establish a more frequent cleaning schedule if the food service  
37 establishment is found to be contributing FOG in quantities sufficient to cause line stoppages or  
38 to necessitate increased maintenance of the sanitary sewer collection system.

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**Sec. 5-6-229.7 - Record Keeping**

Food service establishments shall retain and make available for inspection, records of all cleaning, maintenance, and disposal (waste manifests) for the previous 18 months for all grease control devices. Cleaning and maintenance records shall include, at a minimum, the dates of cleaning or maintenance, the names and business address of the company or person performing each cleaning or maintenance, the volume of waste removed in each cleaning, the transporter and the disposal site. Such records shall be kept on site and shall be made immediately available to the director or his or her designee. This includes grease that is donated, sent for recycling, or any other form of disposal

**Sec. 5-6-229.8 - Inspection of grease control devices.**

The director, or his or her designee, shall have the right of entry into any food service establishments for the purpose of making inspections, observation, measurements, sampling, testing or records review of the sanitary sewer collection system and active or passive systems installed in such building or premise to ensure that the food service establishment is in compliance with this division. The owner or occupant may accompany the director or his or her designee. Operational changes, maintenance, and repairs required by the director shall be implemented as noted in the written notice received by the food service establishments.

**Sec. 5-6-229.10 - FOG program compliance.**

Compliance with the requirements of the FOG program is mandatory for all food service establishments within the City of Alexandria and may require existing food service establishments to modify or repair any noncompliant active or passive systems and appurtenances as noted in the written notice received by the food service establishments.

If a food service establishment receives written notice requiring installation of an active or passive system, the food service establishment shall install such necessary grease interceptors within 120 days of receipt of the written notification or grease traps within 90 days of receipt of written notification.

**Sec. 5-6-229.11 - Penalties**

(a) It shall be unlawful for any food service establishment to fail to comply with any provision of this division that applies to it. The owner of any such food service establishment that fails to comply with any applicable provision shall be in violation of this division.

(b) Violations of this division shall be addressed, and penalties shall be issued in accordance with City Code 1-1-11. For each violation, the owner shall be liable for a class four civil violation.

(c) Each day that a violation exists or persists shall constitute a separate violation of this chapter.

Section 2. That Chapter 6 of Title 5 is amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage.

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Justin M. Wilson  
Mayor

Introduction:	October 6, 2020
First Reading:	October 6, 2020
Publication:	
Public Hearing:	October 17, 202
Second Reading:	October 17, 2020
Final Passage:	October 17, 2020



# WHAT IS FOG?

FOG (Fats, Oils and Grease) are by-products generated from cooking and food preparation processes, including cooking oil, meat fats, food scraps, shortening, sauces, dairy products, etc.



# WHAT YOU SHOULD KNOW

The City has created a new FOG Source Control Program to help Food Service Establishments (FSEs) to tackle the negative impacts of FOG in the sanitary sewer system. Through education and inspections we will share Best Management Practices (BMPs) for FSEs to prevent FOG from entering the system. During one of our visits you will be asked about your FOG BMPs, as well as the cleaning history of your grease trap.

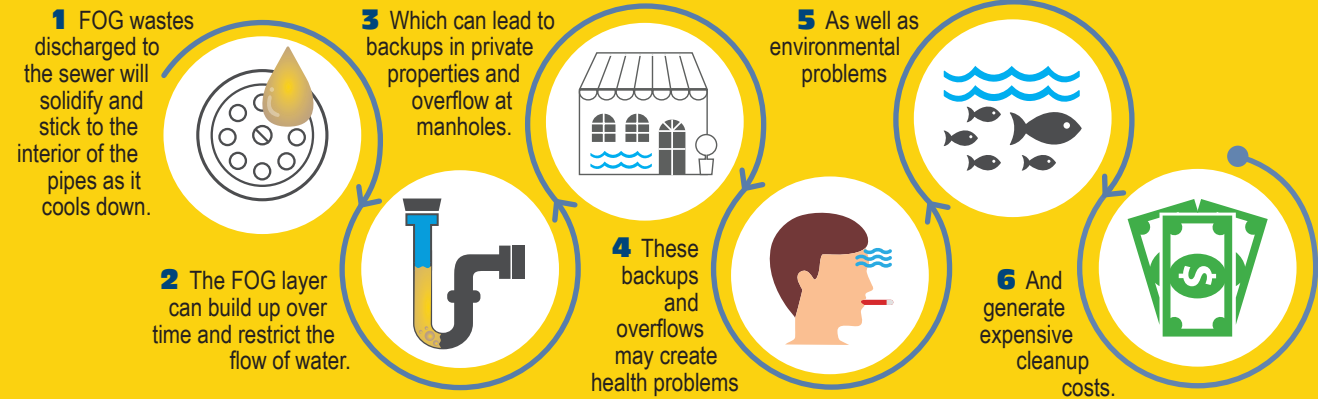
**If we work together, we can prevent sewers from clogging and backing up into your establishment and into the environment.**



FOG Build-up in a Sewer

# WHY IS FOG A PROBLEM?

Attachment 3



# WHAT YOU CAN DO!

The best way to manage FOG is to prevent it from entering the sewer. FSEs are required to implement the following **Best Management Practices (BMPs)**:

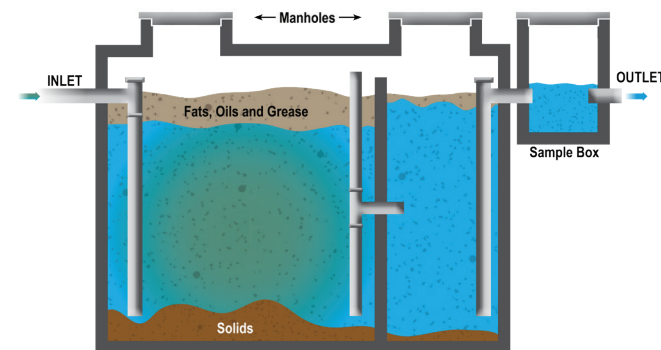
## IN YOUR KITCHEN

- ❌ DO NOT pour or scrape FOG wastes down the drain.
- ✅ DO use grease traps and interceptors.
- ✅ DO train kitchen staff about FOG control and Best Management Practices for FOG.
- ✅ DO post “No Grease” signs near all sinks and drains.
- ✅ DO wipe grease out of pots, pans, and plates with paper towel prior to washing. Place scraps and paper towels in trash.
- ✅ DO collect used fryer oil and store in labeled covered barrels for recycling.
- ✅ DO use strainers on sinks and floor drains to catch food scraps and other solids; empty strainer

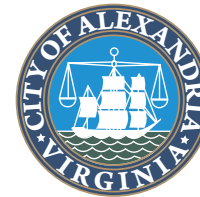
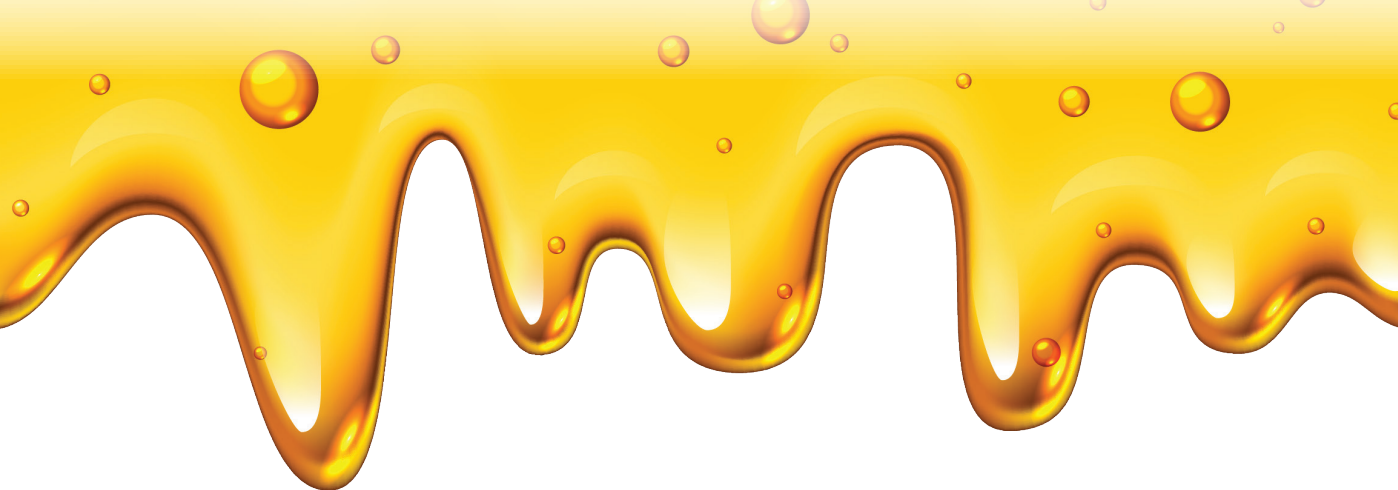
- ✅ DO keep operation and maintenance records of grease control equipment, include how much grease waste was removed.
- ✅ DO wash all floor mats and grills in a mop sink so the wastewater goes to a grease trap.

## THE 25% RULE

If the total volume of grease and settled solids is 25% or more, it must be cleaned.



Outside Interceptor



### OUTSIDE WASTE OIL STORAGE

- ✓ DO use only containers in good condition.
- ✓ DO secure containers to prevent accidental spills, vandalism, or unauthorized use.
- ✓ DO conduct regular inspections and maintenance of the container storage area.

### CLEANING UP A FOG SPILL

In the event of a grease spill:

- ✗ DO NOT use detergents or degreasers.
- ✗ DO NOT wash leaks, spills or materials used for cleaning up spills onto nearby streets or into drains.
- ✓ DO begin cleanup immediately.
- ✓ DO block or seal off nearby storm drains.
- ✓ DO contact a clean-up contractor and the appropriate agency if the spill is unmanageable.
- ✓ DO dispose of all materials used to clean up spills.

As a producer of large volumes of FOG wastes, your cooperation is a vital component of this program's success.

### GET IN TOUCH

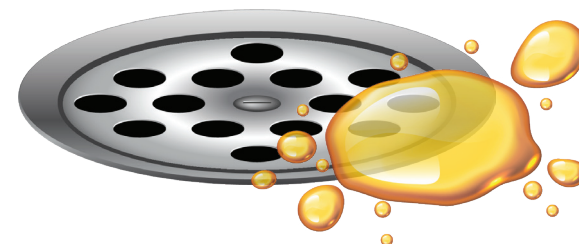
For more information regarding the FOG Program, please contact:

City of Alexandria  
Transportation & Environmental Services  
2900-B Business Center Dr.  
Alexandria, VA 22314  
703.746.4014

[www.insertaddress.com](http://www.insertaddress.com)

# INTRODUCTION TO FOG Fats, Oils & Grease PROGRAM

A POCKET GUIDE FOR THE  
CITY OF ALEXANDRIA'S  
FOOD SERVICE ESTABLISHMENTS





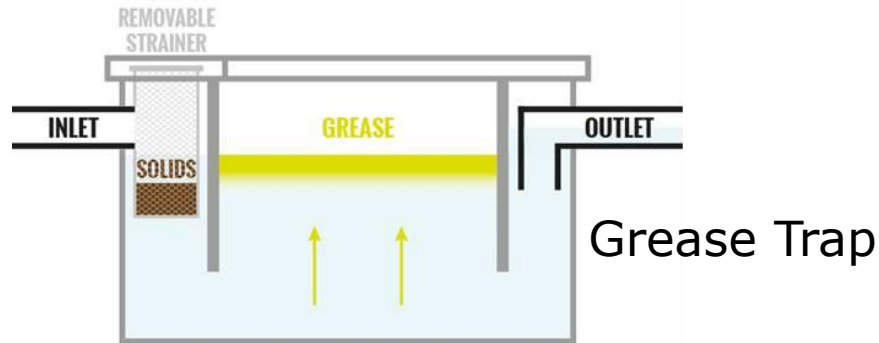
# **Fats, Oils and Grease (FOG) Ordinance**

City Council Legislative Meeting  
October 6, 2020

# Background

- What is FOG?
  - Fats, oils and grease are by-products generated from food preparation and cooking and include cooking oil, meat fats, dairy products, shortening, sauces, etc.
- What are the impacts of FOG?
  - FOG in sewers take up capacity in the sewer system and can lead to sewer backups and overflows
- How can food service establishments control FOG?
  - Through installation of grease recovery devices (i.e. grease trap or interceptor)
  - Other best management practices (scraping of food wastes into trash, regular maintenance existing devices, staff training)

# Background

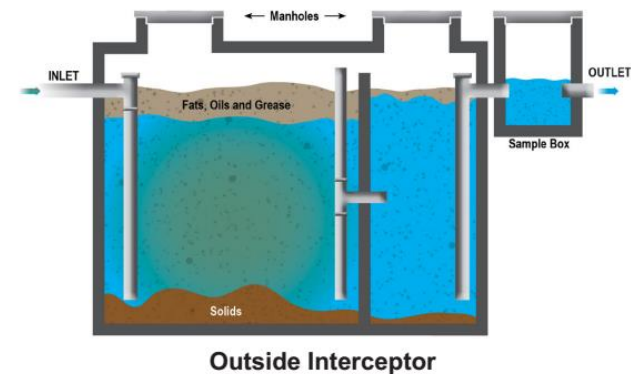


- How is FOG from food service establishments currently addressed in the City Code?
  - FOG from FSEs addressed in City Code Title 5, Chapter 6, Division 3.1, Subdivision C (Pretreatment of Wastewater)
    - Primarily administered by AlexRenew with support from the City
    - Most new food services establishments are required to have FOG control devices, but are not large enough facilities to require pretreatment permits



# Updated FOG Ordinance

- New section (Subdivision D) proposed to provide clarification and to separate FOG from pretreatment of wastewater
- New section applies only to food service establishments that generate FOG (both new and existing)



# Updated FOG Ordinance

- Updated ordinance provisions
  - Clarify FOG management requirements
  - Clarify City's authority to inspect for FOG
  - Provide minimum maintenance and record keeping requirements
  - Provide a compliance schedule
  - Clarify civil penalties

# Outreach

- Outreach Efforts
  - Letter to all food service establishments sent in September
  - Notification to Alexandria Chamber of Commerce
  - Coordination with other stakeholders
  - /sewers webpage



# Implementation Timeline

- FOG-related inspections of food service establishments to be put on hold due to COVID-19
- Inspections not to begin until threat of COVID-19 is low
  - Inspections to initially focus on education only



# **Discussion**

# **Questions/Comments**