

10-0-0939

(Do Not Write Above This Line)

AN ORDINANCE BY CITY UTILITIES COMMITTEE

AN ORDINANCE TO AMEND CHAPTER 154, ARTICLE V, DIVISION IV, SECTION 297 OF THE ATLANTA CITY CODE OF ORDINANCES, ENTITLED "CITY OF ATLANTA GREASE MANAGEMENT ORDINANCE" (§ 154-297 et seq.) TO ADJUST WASTEWATER DISCHARGE PERMIT FEES; AND FOR OTHER PURPOSES.

substitute  
Filed by  
Full Council  
10/3/11

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 06/02/10

Referred To: CITY UTILITIES

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date Chair Referred to  
CITY UTILITIES  
Sept 15, 2010  
[Signature]  
CITY UTILITIES

Committee Date Chair  
CITY UTILITIES  
Sept 15, 2010  
[Signature]

Action Fav, Adv, Hold (see rev. side) Other

Members Substitute

And held 8/31/10

Refer To

Committee

Date

Chair

Action Fav, Adv, Hold (see rev. side) Other

Members

Refer To

Committee

Date

Chair

Action Fav, Adv, Hold (see rev. side) Other

Members

Refer To

Refer To

- FINAL COUNCIL ACTION
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Voice
  - RC Vote

CERTIFIED  
OCT 03 2011

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED  
OCT 03 2011

ROSE DUNBAR  
MUNICIPAL CLERK

MAYOR'S ACTION

RCS# 1468  
10/03/11  
3:18 PM

Atlanta City Council

REGULAR SESSION

10-O-0939            AMEND CH.154; ARTICLE V; DIV. IV SEC 297  
                         GREASE MANAGEMENT ORDINANCE  
   FILE

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 2  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	E Martin	E Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

10-O-0939

**A SUBSTITUTE ORDINANCE BY  
CITY UTILITIES COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 154, ARTICLE V, DIVISION IV, SECTION 297 OF THE ATLANTA CITY CODE OF ORDINANCES, ENTITLED "CITY OF ATLANTA GREASE MANAGEMENT ORDINANCE" (§ 154-297 *et seq.*) TO ADJUST WASTEWATER DISCHARGE PERMIT FEES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") is responsible for the management, operation, and maintenance of its sanitary and combined sewer system; and

**WHEREAS**, the City has experienced sewer overflows as a result of blockages caused by the discharge of fats, oils, and grease by food service, sales, and processing establishments throughout its sewer system; and

**WHEREAS**, in accordance with the First Amended Consent Decree, Grease Management Plan, the City adopted Ordinance 01-O-0038 January 23, 2001 to protect its sewer system from the damaging effects of the discharge of fats, oils, and grease; and

**WHEREAS**, 02-O-2090, adopted by City Council September 2, 2003 and approved by the Mayor September 10, 2003, increased the wastewater discharge permit fees to recover costs incurred by the City in the administration of the Grease Management Ordinance; and

**WHEREAS**, fees should be increased to recover costs incurred by the City in the administration of the ordinance,

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS  
AS FOLLOWS:**

**SECTION 1:** That Section 154-297.02 of the Atlanta City Code shall be amended to read as follows:

**Sec. 154-297.02 Food service establishment (grease trap) regulations/existing installations.**

- (a) *Permit required.* The owner or operator (hereinafter called the user) of a food processing, sales, or service establishment which discharges wastewater into the city's sewer collection system, installed before the adoption of the section, shall obtain a food service wastewater discharge permit. This permit shall be obtained prior to the issuance of any business license issued by the city. Failure to obtain the food service wastewater discharge permit shall be grounds for revocation or denial of the city business license.

- (1) There will be a fee for a food service wastewater discharge permit as set forth in the schedule below.

Number of Grease Traps	Food Service Wastewater Discharge Permit Fee
0—5	\$350.00
6—10	700.00
11—15	1,050.00
16—20	1,400.00
21—25	1,750.00
26—30	2,100.00
31—35	2,450.00
36—40	2,800.00
41—45	3,150.00
46—50	3,500.00
51—55	3,850.00
56—60	4,200.00

For each five additional traps in excess of 60 traps, the maximum food service wastewater discharge permit fee shall be increased by \$350.00.

- (2) Services and related fees.

- (a) A re-inspection fee of one hundred dollars (\$100.00) for each grease trap shall be charged for any facility that fails any grease trap inspection, in addition to any fines that may be imposed by the courts for any other violations as provided in this section.

Service	Fee
Re-inspection	100.00 per trap

- (b) A plan review fee of one hundred twenty-five dollars (\$125.00) shall be charged for review of plans for grease trap installation of up to 5 traps. For each additional trap in excess of 5, the cost is \$25.00 per trap.

Service	Fee
Plan Review (1-5 traps)	125.00
Each additional trap in excess of 5	25.00

- (3) The commissioner will evaluate these fees annually, based on the cost to the city of operation and maintenance, and adjust such fees administratively to ensure full cost recovery; provided however, a fee adjustment of less than ten percent per

year shall not require approval of the city council. Any such fee adjustment shall be posted in the office of the municipal clerk and permittees shall be given written notice prior to the time for renewal of annual permits.

- (4) Application. All information requested in the food service wastewater discharge Permit application shall be certified by the applicant as true and complete prior to review for approval. The application shall apply to all grease traps located at the same facility having the same street address and operated by the same owner and/or management (referred to as "user"). Each grease trap shall be identified by a unique identifier selected and noted in the application by the user. The commissioner shall review completed applications for approval within 30 days of receipt.
- (5) Permit conditions may include, but are not limited to, the following:
  - a. Permit duration;
  - b. Permit fee;
  - c. Permit non-transfer;
  - d. Frequency of inspection;
  - e. Pretreatment requirements;
  - f. Maintenance requirements;
  - g. Limitations on time or rate of discharge;
  - h. Compliance schedules;
  - i. Requirements for maintenance of records and submission of reports;
  - j. Statement of permission to the commissioner and other duly authorized employees of the city, to enter upon the user's property without prior notification for the purposes of inspection, observation, photography, records examination and copying, measurement, sampling or testing; and/or;
  - k. Other conditions deemed necessary by the commissioner to ensure compliance with this article or other applicable ordinances, laws, or regulations.
- (6) Denial of permit. If a permit for a location is denied, the applicant will be notified within 60 calendar days of the commissioner's determination to deny the application.

- a. *Notification.* The applicant will be advised in writing of the specific cause for the denial.
  - b. *Process.* An applicant who is denied a permit under this article shall have the right to appeal such denial to the mayor. The appeal shall be filed within three business days after the notice of denial is received.
- (b) Replacement of an existing grease trap shall be subject to the standards applicable to new installation of a grease trap set out in this section, unless otherwise approved by the commissioner pursuant to other authority set out in Part 154 of the Code.

**SECTION 2.** That fees listed in this section shall be established by City Council from time to time and may appear in Appendix B of the Atlanta City Code entitled, "Fees."

**SECTION 3.** That the effective date of fees increased by this ordinance shall be the first day of the month of the next billing period following adoption by the Council and approval by the Mayor.

**SECTION 4.** All Food Service Wastewater Discharge Permit fees and re-inspection fees collected in accordance with §§ 154-297.02(a)(1) and 154-297.02(a)(2)(a) shall be deposited to the Water/Sewer Enterprise Fund in the following fund: 5051-000002-3442701—Grease Permits, or as otherwise directed by the Chief Financial Officer.

**SECTION 5.** All plan review fees collected in accordance with § 154-297.02(a)(2)(b) shall be deposited to the Water/Sewer Enterprise Fund in the following fund: 5051-000002-3442703-0000000, Site Development Plan Review, or as otherwise directed by the Chief Financial Officer.

**SECTION 6.** All fines collected by the City of Atlanta Municipal Court for violation of the City of Atlanta Grease Management Ordinance (§ 154-297 *et seq.*) shall be deposited to the Water/Sewer Enterprise Fund in the following fund: 5051-000002-3519001 or as otherwise directed by the Chief Financial Officer.

**SECTION 7.** That this ordinance shall be effective upon approval by the Mayor or upon its becoming law without the Mayor's approval.

**SECTION 8.** That all existing ordinances or parts of ordinances in conflict with this ordinance shall be waived to the extent of the conflict.