



BYLAW NO. 153 - DRAFT
DISTRICT OF BARRIERE

A BYLAW TO REGULATE THE DISCHARGE OF WASTEWATER FROM
FOOD SECTOR ESTABLISHMENTS IN THE DISTRICT OF BARRIERE

The Council of the District of Barriere, in open meeting assembled, enacts as follows:

1. **CITATION**

- a) This bylaw may be cited for all purposes as the “*Food Sector Grease Interceptor Regulation Bylaw No. 153.*”

2. **DEFINITIONS**

- a. In this by-law, unless the context otherwise requires:

“**Council**” shall mean the District of Barriere Council

“**District**” shall mean the District of Barriere

“**drain**” means a pipe, conduit, channel, or other similar equipment used to convey wastewater;

“**fats, oils and grease**” means insoluble organic fats, oils and grease from animal or vegetable sources;

“**flow capacity**” means the quantity of wastewater measured in relation to units of time that is discharged into or through a grease interceptor;

“**flow control fitting**” means a device that controls flow capacity;

“**food sector establishment**” means any premises that is connected to a wastewater collection system owned by the District, except premises used solely as a private residence, where food is prepared, packaged, served, sold, or otherwise handled in a manner that results in the formation of fats, oils and grease, including restaurants;

“**garbage compactor**” means a device that compacts waste which contains or may be contaminated with fats, oils and grease;

“**gravity grease interceptor**” means a device that uses gravity and interior baffling to separate and retain fats, oils and grease from wastewater;

“grease interceptor” means a gravity grease interceptor, hydromechanical grease interceptor, or grease removal device that separates, and then removes or retains, fats, oils and grease from wastewater before it is discharged into a sewer or sewage facility;

“grease removal device” means a hydromechanical grease interceptor that separates and removes fats, oils and grease from wastewater using an automatic, mechanical process;

“hydromechanical grease interceptor” means a device that uses hydromechanical separation, interior baffling, and air entrainment barriers, whether in combination or independently, to separate and retain fats, oils and grease from wastewater;

“inspector” means anyone who is authorized by the Chief Administrative Officer or Council to enter and inspect property in accordance with this by-law

“occupant” includes, but is not limited to:

- (i) one or more persons residing on or in property;
- (ii) the person or person entitled to the possession of property if there is no person residing on or in the property; and
- (iii) one or more leaseholders;

and shall include the agents of any such person or persons;

“owner” means one or more persons who has any right, title, estate or interest in property, other than that of an occupant, and shall include the agents of any such persons;

“person” includes natural person of any gender, associations, corporations, political bodies, partnerships, whether acting by themselves or by a servant, agent or employee, and the heirs, executors, administrators, successors and assigns or other legal representative of such persons;

“point of discharge” means the point at which wastewater is discharged from a grease interceptor into a sewage facility;

“property” means all real property, including, but not limited to, front yards, side yards, backyards, driveways, walkways and sidewalks and shall include any structure or fence located on such real property;

“rated flow capacity” means the flow capacity prescribed by the manufacturer of a grease interceptor;

“sampling point” means the point at which a sample of wastewater can be collected;

“sewer” means a District owned wastewater collection system;

“**solids interceptor**” means a device that separates, and then removes or retains, solids from wastewater, including a basket, screen, or other similar device;

“**total oil and grease**” means any matter, whether of animal, vegetable or mineral origin, extractable by solvent as determined by procedures set out in standard methods, and includes fats, oils and grease;

“**wastewater depth**” means the depth of the wastewater measured from the bottom of the grease interceptor to the surface of the wastewater in the grease interceptor; and

“**wastewater service delivery area**” means a sewer system, including facilities and underground infrastructure that provides wastewater collection and disposal service to connection eligible properties into a District owned sewer system.

3. **RESTRICTIONS**

- a) No person shall discharge, or allow or cause to be discharged, directly or indirectly, wastewater from a food sector establishment into a sewer if the wastewater contains any of the following:
 - i. high volume discharge;
 - ii. restricted waste;
 - iii. storm water;
 - iv. prohibited waste;
 - v. uncontaminated water;
 - vi. groundwater;
 - vii. trucked waste;
 - viii. any substance whether gaseous, liquid, or solid, that may cause damage to a sewer or sewage facility by corrosion;
 - ix. any substance whether gaseous, liquid, or solid, in a concentration or quantity that may injure or is capable of injuring the health of any person, property or life form;
 - x. any substance, whether gaseous, liquid, or solid, in a concentration or quantity that is or may become a safety hazard to persons who operate or maintain a sewer or sewage facility;
 - xi. any substance, whether gaseous, liquid, or solid, used to dilute non-domestic waste including water.
- b) A person may discharge wastewater from a food sector establishment into a sewer or sewage facility if, at the point of discharge, the wastewater contains only:

- i. biochemical oxygen demand; and
 - ii. total oil and grease less than 300 mg/L.
- c) No person shall add, or cause or permit to be added into a grease interceptor any enzymes, solvents, hot water, bacteria, or other biological or chemical substance to facilitate the passage of fats, oils and grease through a grease interceptor.
- d) No person shall interfere or restrict access of an inspector entering upon a property for the purposes of ensuring compliance of this bylaw.

4. **GREASE INTERCEPTOR REQUIREMENTS**

- a) Every owner or operator of a food sector establishment must use grease interceptors in accordance with this bylaw to separate fats, oils and grease, and then remove or retain such fats, oils and grease, from wastewater before the wastewater is discharged into a sewer or sewage facility.
- b) The following in a food sector establishment must be connected to a drain that is connected to a grease interceptor:
- i. cooking equipment that is connected, directly or indirectly, to a drain, including woks, soup kettles, tilt kettles, and other similar cooking equipment;
 - ii. sinks that are used for washing pots, pans, dishes, cutlery, kitchen utensils, mops, and to perform other similar washing activities;
 - iii. self-cleaning exhaust hoods installed over cooking equipment;
 - iv. garbage compactors;
 - v. dishwashers (may exclude dedicated glass washers where glass is not contaminated with fats, oils and grease); and,
 - vi. floor drains used to convey water or wastewater that contains or may be contaminated with fats, oils and grease.
- c) The following in a food sector establishment must not be connected to a grease interceptor:
- i. toilets and urinals;
 - ii. sinks used only for washing hands or washing anything that is not contaminated with fats, oils and grease; and
 - iii. subject to section 4(d), food grinders, potato peelers and other similar equipment used for the preparation of food.
- d) Food grinders, potato peelers and other similar equipment used in the preparation of food must be connected to a solids interceptor that is connected to a grease

interceptor if the wastewater discharged from such food preparation equipment contains or may be contaminated with fats, oils and grease.

- e) A garbage compactor used in connection with a food sector establishment but is situated outside of the building or structure of that food sector establishment must:
 - i. be connected to a drain that is connected to a grease interceptor; and,
 - ii. prevent the mixing of storm water with the wastewater that is discharged into the drain connected to the grease interceptor.
- f) Grease interceptors must not be located in a place or manner that obstructs or interferes with an Inspector's exercise of powers to ensure compliance with this bylaw or the *Environmental Management Act*.

5. **GREASE INTERCEPTOR STANDARDS**

- a) All grease interceptors installed must achieve 90% grease removal efficiency in accordance with CSA standard B481.1, or be rated in accordance with such other standard approved by the District.
- b) Where standards cannot be applied, the grease interceptor must be designed and engineered according to guidance in the American Society of Plumbing Engineers Data Book, Volume 4, Chapter 8, Grease Interceptors.

6. **GREASE INTERCEPTOR SIZING**

- a) The maximum flow capacity of all plumbing fixtures connected to a grease interceptor must not exceed the grease interceptor's maximum rated flow capacity.
- b) A grease interceptor must have sufficient flow capacity to separate, and then remove or retain, fats, oils and grease from wastewater in compliance with this bylaw, and must be sized in accordance with an approved sizing methodology.
- c) If the manufacturer of a grease interceptor prescribes the use of a flow control fitting with the grease interceptor, the grease interceptor must have the prescribed flow control fitting.
- d) The size of a flow control fitting that is required to be used with a grease interceptor must not exceed the rated flow capacity of the grease interceptor.

7. **SAMPLING**

- a) Every food sector establishment must designate a sampling point for each grease interceptor that discharges into a sewer or sewage facility.
- b) A sampling point may be located at any point where a grease interceptor discharges wastewater into a sewer or sewage facility, provided that the sampling point is upstream from any other points where wastewater from sources other than the grease interceptor can be discharged into that sewer or sewage facility.

- c) If a sampling point is part of a pipe, the sampling point must be vertically perpendicular to and on the top of the pipe.
- d) Every food sector establishment must keep on the premises a record of the designated location of all sampling points for that food sector establishment and make such record available for inspection by an inspector upon request.
- e) A sampling point must be readily and easily accessible at all times for inspection and sampling by an inspector.
- f) An inspector may require anything related to the discharge of wastewater from a food sector establishment, including any machine, structure, material or equipment on the premises that is being inspected, be operated, used, set in motion, or opened under conditions specified by the inspector.

8. **LABELLING REQUIREMENTS**

- a) The rated flow capacity of a grease interceptor must be:
 - i. permanently labelled on the grease interceptor and be visible and clearly legible at all times; or
 - ii. shown to an inspector in written documentation issued by the manufacturer of the grease interceptor.

9. **GREASE INTERCEPTOR MAINTENANCE**

- a) Every grease interceptor must be examined and cleaned in accordance with this Section 9.
- b) A grease interceptor must be examined, and cleaned:
 - i. at least once every 90 consecutive days; or
 - ii. when the total thickness of fats, oils and grease and solids in the grease interceptor is equal to 25% or more of the wastewater depth,whichever occurs earlier, or at any time an inspector directs.
- c) Examination and cleaning of a grease interceptor must include:
 - i. full evacuation of the grease interceptor;
 - ii. clearing of all inlet, outlet, and air relief ports of any obstructions or other matter that may interfere with the proper functioning of the grease interceptor;
 - iii. examination of all baffles, seals, and internal components for damage and other defects or conditions that may interfere with the proper functioning of the grease interceptor.

- d) Fats, oils and grease evacuated from a grease interceptor during the examination and cleaning required under Section 9 must not, directly or indirectly, be discharged:
 - i. in any form or manner, into the environment or into any sewer; or
 - ii. in liquid form, into a municipal solid waste collection system.

10. **RECORD KEEPING**

- a) For each examination and cleaning required to be performed under Section 9, every owner or operator of a food sector establishment must:
 - i. keep an maintain on the premises a written record of the date of the examination, cleaning, and maintenance, with detailed description of the types and quantities, of matter evacuated;
 - ii. keep each record for at least two years after the year in which the record was first made; and
 - iii. make such records available for inspection by an inspector upon request.

11. **ORDERS AND FEES**

- a) If an inspector has grounds to believe that a person has contravened or is contravening this bylaw, the inspector may issue an order requiring a person to do anything the inspector deems necessary to stop the contravention or prevent another contravention.
- b) If an inspector deems that re-inspection or sampling and analyses is required to ensure compliance with this bylaw, the owner or operator of a food sector establishment must pay any applicable fees set out in the *District of Barriere Fees & Charges Bylaw No. 73 as amended*.

12. **OFFENCES**

- a) A person who contravenes any provision of this bylaw commits an offence and is liable to a fine not exceeding \$10,000.
- b) A person who contravenes any Section of this bylaw commits an offence and is liable to fine as prescribed in District of Barriere Bylaw Notification Bylaw No. 95, as amended.
- c) If an offence under Section 12(b) continues for more than one day, separate fines, each not less than the minimum fine for that offence and not exceeding the maximum fine for that offence, may be imposed for each day the offence continues.
- d) Nothing in this bylaw limits the Inspector or the District from utilizing any other remedy that would otherwise be available at law.

13. **GENERAL CONDITIONS**

- a) If any portion of this bylaw is deemed *ultra vires*, illegal, invalid, or unenforceable in any way, in whole or in part, by a court or tribunal of competent jurisdiction, such decision shall not invalidate or void the remainder of the bylaw. The portion so held to be *ultra vires*, illegal, invalid, or unenforceable shall be deemed to be reduced in scope so as to be valid and enforceable, or in the alternative to have been stricken therefrom with the same force and effect as if such parts have never been included in this bylaw or as revised.
- b) Nothing in this bylaw is intended to conflict with the Environmental Management Act or BC Building or Plumbing Code. A conflict does not exist solely because further restriction or conditions are imposed by this bylaw.
- c) Words importing the singular number include the plural number and vice versa.

READ FOR A FIRST TIME this **23rd day of April, 2018.**

READ FOR A SECOND TIME this **23rd day of April, 2018.**

READ FOR A THIRD TIME this **23rd day of April, 2018.**

ADOPTED this 7th day of May, 2018.

Original signed by, _____
Virginia Smith, Mayor

Original signed by, _____
Colleen Hannigan, CAO