



## CITY OF BEND Fats, Oils and Grease (FOG) Penalties POLICY

### **General guidelines**

The City's General Sewer Use Regulations describe the prohibited discharges to the City's wastewater collection system. Failure to comply with the City's General Sewer Use Regulations may result in a Class A civil infraction.

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

The purpose of the Fats, Oil and Grease (FOG) Program is to keep FOG out of the wastewater collection system, sewer pump stations and Water Reclamation Facility (WRF). These materials have to be manually removed to prevent build up in the collection system. Also, they cannot be treated at the WRF and therefore must be manually removed.

The program requires that businesses maintain a variety of pre-treatment devices onsite to prevent the discharge of FOG into the wastewater collection system. This reduces the City's cost of collecting and treating wastewater. An added benefit is that the reduction or eliminate of discharge of FOG also keeps the businesses' lateral lines cleaner, saving the business added cost of line cleaning and sewer backups.

### **Fines**

The Class A civil infraction results in a hefty penalty. For the purposes of the Fats, Oils and Grease program, that penalty may be necessary in some but not all cases of violation.

One of the goals of the FOG program is to modify behavior. Since the inception of the FOG program, businesses have modified their operations. The following fines are initiated to encourage compliance with the FOG program.

Within a 12-month period, on the occasion that a business required to comply with the Fats, Oils and Grease (FOG) program violates the requirements outlined in that program the following penalties may be assessed:

- 1<sup>st</sup> Violation - \$150
- 2<sup>nd</sup> Violation - \$350
- 3<sup>rd</sup> Violation - \$700
- 4<sup>th</sup> and every other violation - \$1400

As is stated in the General Sewer Use Regulations each day that the violations occurs or continues is a separate violation. The City may impose the penalty for the violation for each day that the violation continues. In other words, a business that is in violation of the Sewer Use Regulations could receive a 1<sup>st</sup> penalty on each consecutive day until the cause of the violation is resolved.

Notification of violation will be provided to the business by the City of Bend Public Works Department in writing.

As is stated in the City's Extra Strength Charge program ordinance, one of the goals of the program is to incentive on-site wastewater treatment prior to discharge to the City's wastewater collection system. As such, businesses that are in the City's FOG program and do not maintain their required pre-treatment devices to the standards laid out by the City will see an increase in their sewer rates.

In addition to the penalty, a business that violates the requirements of the FOG program twice in 12 consecutive months will be moved from the LOW category in the City Extra Strength Charge program to the MEDIUM category. This will result in an increase in the business' sewer bill. The business will stay in the MEDIUM category until the business has two consecutive passing inspections.

If a business has three violations in 12 consecutive months, the business will be moved into the HIGH Extra Strength category. This will result in an increase in the business' sewer bill. The business will stay in the HIGH category until the business has three consecutive passing inspections.

If a business has four violations in 12 consecutive months, the business will be moved into the SUPER HIGH Extra Strength category. This will result in an increase in the business' sewer bill. The business will stay in the SUPER HIGH category until the business has four consecutive passing inspections.