

ORDINANCE NO. 496-15

AN ORDINANCE OF THE CITY OF SANSOM PARK, TEXAS, ESTABLISHING REGULATIONS FOR DISPOSAL OF LIQUID WASTE; PROVIDING DEFINITIONS; PROVIDING FOR PERMITS; PROVIDING FOR TRANSPORTER RESPONSIBILITIES; PROVIDING FOR SUSPENSION OR REVOCATION OF PERMIT; PROVIDING FOR GENERATOR RESPONSIBILITIES; PROVIDING FOR DISPOSER RESPONSIBILITIES; PROVIDING FOR ADDITIONAL PERMIT HOLDER RESPONSIBILITIES; PROVIDING FOR PREVIOUSLY ISSUED PERMITS; PROVIDING FOR INTERFERENCE WITH GREASE TRAP, GRIT TRAP OR SANITARY SEWER; PROVIDING FOR BIOREMEDIATION OF GREASE TRAPS; PROVIDING FOR NUISANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A PUBLICATION CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Sansom Park, Texas, is a Type A Municipality located in Tarrant County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Section 51.001 of the Texas Local Government Code authorizes municipalities to adopt any ordinance, act, law, or regulation, not inconsistent with State law, that is necessary for the government, interest, welfare or good order of the City; and

WHEREAS, it will be necessary and essential to ensure that the collection and disposal of liquid waste within the City limits adequately protects the health, safety, and welfare of the citizens of Sansom Park and establishes an effort to curb sanitary sewer overflows from grease accumulations in its sanitary sewer mains.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANSOM PARK, TEXAS:

**SECTION 1
PURPOSE**

The purpose of this article is to regulate the generation, transportation and disposal of grease trap waste and grit trap waste, for the protection of the sanitary sewer system and the environment. The wastes regulated by this article do not include Hazardous Wastes or Class 1 Nonhazardous Industrial Solid Wastes. With an increase in recycling, the City feels the need to regulate every type of waste transported within the City, including waste oil recyclers, Fry-O-Later grease recyclers and nonhazardous waste haulers such as waste groundwater, (i.e. companies that haul to a centralized waste treatment facility).

SECTION II DEFINITIONS

(A) **Definitions.** Unless a provision explicitly states otherwise, the following terms and phrases, as used in this article, shall have the meanings hereinafter designated.

Administration. The Community Development Director and the Director's authorized representatives are authorized to administer and implement the provisions of this article.

Approved. Accepted as satisfactory under the terms of this article and given formal and official sanction by the approving authority.

Approving Authority. The Director or any other official designated by the City Administrator or his/her designee.

Commission. Texas Commission on Environmental Quality (TCEQ).

Director. The Community Development Director or the Director's authorized representative.

Disposal. The discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid or semisolid grease trap waste or grit trap waste, into or on any land or water so that such waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

Disposal Site. A permitted site or part of a site at which grease trap waste or grit trap waste, is processed, treated and/or intentionally placed into or on any land at which will remain after closure.

Disposer. A person, who receives, stores, retains, processes, or disposes of liquid waste.

Generator. A person, who causes, creates, generates, or otherwise produces liquid waste.

Grease Trap. A watertight receptacle designed and constructed to intercept and prevent the passage of petroleum based oil, grease wastes and solids into the sanitary sewer system to which the receptacle is directly or indirectly connected.

Grease Trap Waste. Greasy, fatty liquid, semi liquid and/or solid wastes removed from commercial operations by a grease trap.

Grit Trap. A watertight receptacle designed and constructed to intercept and prevent the passage of petroleum based oils, grease wastes and solids into the sanitary sewer system to which the receptacle is directly or indirectly connected.

Grit Trap Waste. Petroleum based oil, grease wastes and solids from commercial automotive or heavy machinery repair and/or washing facilities.

Hazardous Waste. Any liquid, semi liquid or solid waste (or combination of wastes), which because of its quality, concentration, physical, chemical or infectious characteristics may:

- 1) Have any of the following characteristics: toxic, corrosive, an irritant, a strong sensitizer, flammable or combustible, explosive or otherwise capable of causing substantial personal injury or illness; or
- 2) Pose a substantial hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise improperly managed, and is identified or listed as a hazardous waste as defined by the Texas Solid Waste Disposal Act or by the Administrator, U. S. Environmental Protection Agency (EPA) pursuant to the federal “Solid Waste Disposal Act,” as amended by the “Resource Conservation and Recovery Act of 1976” and as may be amended in the future.

Liquid Waste. Waterborne solids, liquids, and gaseous substances derived from a grease trap, grit trap, chemical/portable toilet and described as a grease trap waste, grit trap waste.

Manager. The person conducting, supervising, managing, or representing the activities of a generator, transporter or disposer.

Manifest System. The system consisting of a four-part trip ticket used to document the generation, transportation, and disposal of liquid.

Owner. The person who owns a facility or part of a facility.

Permit. The formal written document issued to a person by the approving authority authorizing collection of grease trap waste or grit trap waste.

Permittee. A person granted a permit under this Article.

Person. An individual, corporation (including a government corporation), organization, government, governmental subdivision or agency, federal agency, state, political subdivision of a state, interstate agency or body, business or business trust, partnership, association, firm, company, joint stock company, commission, or any other legal entity.

POTW. Publicly-owned treatment works.

Sanitary Sewer. A sewer which carries sewage and to which storm, surface, and ground waters are not normally admitted.

Shall. The word “shall”, wherever used in this article, will be interpreted in its mandatory sense; “may” is permissive.

Special Wastes. Any solid waste or combination of solid wastes that, because of its quality, concentration, physical or chemical characteristics or biological properties, require special handling and disposal to protect the human health or the environment.

Spill. The accidental or intentional loss or unauthorized discharges of grease trap waste or grit trap waste.

TCEQ. Texas Commission on Environmental Quality.

TDH. Texas Department of State Health Services.

Tank. A device, designed to contain an accumulation of grease trap waste or grit trap waste, which is constructed primarily of non-earthen materials (e.g., concrete, steel, plastic) to provide structural support for the containment.

Toxic Waste. Any liquid, semi liquid, or solid waste material which has the ability to chemically produce injury once it reaches a susceptible site in or on the body.

Transporter. A person who operates a vehicle for the purpose of transporting liquid waste.

Trip Ticket. The shipping document originated and signed by the transporter which contains the information required by the approving authority.

Vehicle. A mobile device in which or by which liquid waste may be transported upon a public street or highway.

SECTION III PERMITS; GENERALLY

A Permit Required.

- 1) A person commits an offense if the person collects or transports liquid waste without a valid permit issued by the Director.
- 2) It is an affirmative defense to an enforcement action for a violation of subsection (1) above, that:
 - a) The person was disposing of the person's own waste from the person's own recreational vehicle, boat, travel trailer; or
 - b) The person was transporting liquid waste through the city that was collected outside of the city and which was disposed of outside of the city.

B Permit Application Procedures. A person required by subsection (a) to have a permit shall do the following:

- 1) Complete and file a permit application on a form prescribed by the Director;
- 2) Submit with the application a photocopy of applicant's driver license. If the applicant is a person other than an individual, the driver's license shall be that of the applicant's chief operating officer or manager;
- 3) Submit with the application a copy of the applicant's current registration issued by the Commission, pursuant to 30 TAC Section 312.142, to collect and transport liquid wastes;

- 4) Submit with the application a copy of the state registration license receipt issued to each vehicle the applicant elects to register under the permit;
- 5) Submit with the application a list of all disposers the applicant proposes to use;
- 6) Submit to the Director proof that applicant's vehicles which will be registered under the permit are insured in at least the minimum amounts as required by state law, or are self-insured as provided by state law to secure payment of all lawful and proper claims arising out of the operation of each vehicle. A written statement from an authorized agent of the applicant's insurance carrier verifying the issuance of such insurance shall be filed with the Director before a permit is issued. All such verifications of insurance shall provide for thirty-day cancellation notice to the Director;
- 7) Provide any additional information requested by the Director;
- 8) Demonstrate to the Director that the applicant and applicant's driver have sufficient knowledge of the vehicles they will be operating and the liquid waste facilities they will be servicing, to collect and transport liquid waste in a safe and competent manner; and
- 9) Submit for inspection by the Director each vehicle the applicant proposes to register under the permit. Each vehicle shall meet the following requirements:
 - a) The business name, telephone number, and address of the applicant shall be permanently displayed on both sides of the vehicle in letters of a minimum height of three (3) inches, in a color contrasting to their background. An address is sufficient if it includes the applicable city and state. If the applicant's business is not within a municipality, the name of the county and state will be sufficient.
 - b) The vehicle shall display current state vehicle registration tags and inspection certificate.
 - c) The vehicle shall display the Commission assigned registration number in accordance with state regulations.
 - d) The vehicle shall have a single waste tank which shall be of a minimum 1,000-gallon capacity, unless otherwise approved by the Director, permanently mounted on the vehicle, and designed to transport wastes. Portable tanks or other containers temporarily installed in a vehicle are prohibited. This paragraph does not apply to vehicles used to transport chemical toilet wastes.
 - e) The vehicle's engine which powers its movement, drive train, and emissions system shall not be modified for the purpose of creating a vacuum to empty liquid waste facilities.
 - f) The vehicle shall have a power take off (PTO) unit to create vacuum sufficient to remove the entire contents of the liquid waste facilities it services.
 - g) The vehicle shall be clean and odor free.
 - h) All piping, valves and connectors shall be permanently attached to the tank or vehicle.

- i) The tank shall be liquid tight.
- j) The tank shall be constructed so that every interior and exterior portion can be easily cleaned.
- k) All piping, valves, and connections shall be accessible and easy to clean.
- l) Any inlet, or opening of the tank, shall be constructed so that collected waste will not spill during filling, transfer, or during transport.
- m) All outlet connections shall be constructed so that no waste will leak, run, or spill out of the vehicle.
- n) All outlets shall be of a design and type suitable for the waste handled and capable of controlling flow or discharge without spillage or undue spray on or flooding of immediate surroundings while in use.
- o) All pumps, valves, cylinders, diaphragms and other appurtenances shall be of a design and type suitable for the type of waste handled; be capable of being easily disassembled for cleaning; and operate without spillage, spray, or leakage.
- p) All tank valves shall have a safety plug or cap.
- q) All closed vehicles, tanks, or containers used to transport liquid wastes regulated by this article shall have sight gauges installed and maintained in such a manner that they can be used to determine whether a vehicle is loaded and the approximate capacity of the load. Gauges are not required to read in gallons or liters, but shall show what percentage of the tank capacity is filled. An alternate method to measure actual volumes may be utilized if the transporter has received prior written approval from the Commission's executive director and has provided a copy of that approval to the Director.
- r) All discharge valves and ports shall be prominently marked. All discharge ports shall be visible and readily accessible.

C **Issuance and Display of Permit.**

- 1) The approving authority shall not issue a permit to an applicant until the appropriate established fee is paid. An applicant shall pay a fee of one hundred dollars (\$100.00) for the first vehicle and fifty dollars (\$50.00) for each additional vehicle operated by the applicant.
- 2) A permit shall be valid for one year from the date of its issuance, unless suspended or revoke
- 3) A permit shall not be transferable.
- 4) The Director shall issue a vehicle registration number to each vehicle registered under a permit, and shall list this number on the permit. A vehicle registration number is not transferable.

- 5) The approving authority shall number permits consecutively and each permit holder shall cause to be displayed on each side of each vehicle in a color contrasting with the background and in three-inch letters or larger, the business name, TDH registration number and the following:

SPC (SANSOM PARK CITY)

The first three (3) letters (SPC) shall represent the city issuing the permit, followed by the assigned permit number. The permit holder shall place business name, TCEQ registration number and the vehicle permit number on each vehicle before the vehicle is operated.

- 6) The permit holder shall cause a copy of the permit to be kept in each vehicle at all times and presented to the Director or any Peace Officer upon demand. A copy of the permit holder's transporter registration issued by the Commission shall be kept in each vehicle at all times and presented to the Director or any Peace Officer upon demand.
- 7) A person commits an offense if the person operates or causes to be operated a liquid waste transportation vehicle without the vehicle registration number assigned to that vehicle by the Director displayed as required by subsection (5) above.
- 8) A person commits an offense if the person operates or causes to be operated a liquid waste transportation vehicle which is not permitted by the city.
- 9) A person commits an offense if the person operates a liquid waste transportation vehicle and fails to display to the Director or any Peace Officer upon demand, a copy of a valid city permit.
- 10) A person commits an offense if the person operates a liquid waste transportation vehicle and fails to display to the Director or any Peace Officer upon demand, a copy of a valid liquid waste transporter registration issued by the Commission.

D **Grounds for Permit Denial**

- 1) The Director may deny the issuance of a permit if:
 - a) The applicant, a partner of the applicant, a principal in the applicant's business, or applicant's manager or operator has:
 - i) Within the five (5) years preceding the date of the application been convicted of a misdemeanor that is punishable by confinement and/or by a fine exceeding \$500.00, and which relates directly to the duty or responsibility in operating a liquid waste transportation business; or
 - ii) Been convicted of a felony which relates directly to the duty or responsibility in operating a liquid waste transportation business;
 - b) The applicant fails to provide evidence of liability insurance or self insurance as required by this section;

- c) The applicant had a permit, that was issued under this article or its predecessor, suspended or revoked within the twelve (12) months preceding the date of the application;
 - d) The application contains a false statement of material fact;
 - e) The application or any other required information is incomplete;
 - f) The applicant's vehicle submitted for inspection does not meet the criteria of Section III (b)(9) above. However, the Director may issue a permit but exclude from registration those vehicles not meeting said criteria;
 - g) The applicant has not shown proof that the applicant and the applicant's drivers are qualified under Section III (b)(8) above;
 - h) The applicant has violated a provision of this article within the preceding twelve (12) months; or
 - i) The applicant does not have a valid liquid waste transporter registration issued by the Commission.
- 2) An applicant whose permit is denied will be notified by the Director, in writing, of the denial and the grounds therefore. Such notice will be sent certified mail, return receipt requested, to the mailing address listed on the application.

E **Permit Conditions** A person who has been issued a permit by the Director shall comply with the following:

- 1) A permit holder shall immediately notify the Director of any management changes in the business during the time the permit is in effect, and shall provide the Director with a photocopy of the new manager's or chief operating officer's driver's license;
- 2) The permit holder shall notify the Director of all changes in disposal sites it wants to utilize during the permit periods, and shall use only those disposal sites permitted or approved by the Commission and the Director;
- 3) The permit holder shall maintain insurance required by Section III (b)(6) above and immediately notify the Director of any changes in its insurance carrier or policy, and insured status or self-insured status;
- 4) The permit holder shall maintain all vehicles registered under the permit in compliance with the requirements of Section III (b)(9);
- 5) The permit holder shall immediately notify the Director when it sells or otherwise disposes of vehicle registered under the permit;
- 6) The permit holder shall maintain vehicle registration numbering in compliance with Section III(c) (5);

- 7) The permit holder shall immediately notify the Director when the permit holder's waste transporter registration issued by the Commission expires or is suspended or revoked;
- 8) A permit holder shall ensure that all of the permit holder's employees collecting and transporting liquid waste in vehicles registered under the permit remain sufficiently knowledgeable of such vehicles and of liquid waste facilities they service, so that they are able to collect and transport liquid waste in a safe and competent manner; and
- 9) The permit holder shall ensure that none of the vehicles registered under a permit exceeds state weight limits while transporting liquid waste.

F **Permit Modification**

- 1) The permit holder may request a modification to the permit during the permit year to register additional liquid waste transportation vehicles.
- 2) A request to register additional vehicles shall be submitted to the Director for consideration in a manner determined by the director.
- 3) Additional vehicles shall be submitted to the Director for inspection and shall meet the requirements of Section III (b)(9).
- 4) The permit holder shall provide to the director proof of liability insurance or self insurance for such additional vehicles in accordance with Section III (b)(6).
- 5) Before the Director modifies the permit, the applicant shall remit a permit fee for each additional vehicle in accordance with Section III (c)(1).
- 6) All additional vehicles are subject to the requirements of this article.
- 7) A permit modification shall not extend the term of the permit.

SECTION IV
TRANSPORTER RESPONSIBILITIES

- a) Before accepting a load of liquid waste, a transporter shall determine the nature of the liquid waste and whether the transporter's equipment is sufficient to properly handle the transportation without spillage, leaks, or release of toxic, odorous or harmful gasses. Upon delivery of the waste to the disposer, the transporter shall inform the disposer of the nature of the waste.
- b) A transporter pumping waste from a liquid waste facility shall remove one hundred percent (100%) of the contents of such facility.
- c) A transporter operating under a city permit shall not transport Hazardous Waste or Class 1 Nonhazardous Industrial Solid Waste in a vehicle registered under the permit.

- d) A transporter operating under a city permit shall not commingle Hazardous Waste or Class 1 Nonhazardous Industrial Solid Waste with liquid waste.
- e) A transporter shall not mix incompatible wastes within the same container. A transporter shall not use the same container or pumping equipment to collect or transport liquid waste which is incompatible with previously handled waste, without first emptying and cleaning the container and equipment. A transporter may mix wastes with different characteristics if the disposer to which the waste is being transported is authorized to store, process, or dispose of such mixed wastes.
- f) A transporter shall handle and dispose of grease trap wastes or grit trap wastes at an authorized, licensed, disposal site. This waste shall not be disposed of in a publicly-owned treatment works.
- g) A transporter shall not operate a vehicle that fails to meet the requirements of Section III (b)(9).
- h) A transporter shall allow the Director or any Peace Officer to inspect vehicles registered under a permit, upon their request.
- i) A transporter shall allow the Director or any Peace Officer to obtain samples of liquid waste from the transporter's vehicle, upon their request.
- j) A transporter shall not empty liquid waste into a generator's solid waste receptacles.
- k) A transporter operating under a city permit shall use a manifest system book consisting of five-part tickets, purchased from the Director in packs of one hundred (100) for forty dollars (\$40.00), in the following manner:
 - 1) Each manifest system book shall be used exclusively for a single vehicle
 - 2) A transporter will complete one (1) trip ticket for each individual collection, with the exception of chemical toilet companies servicing their own units. Such companies shall be exempt from trip ticket requirements, but shall be required to submit to the Director a monthly total of volumes disposed of and the locations of such disposal, no later than the (10th) day of the month following the month in which the disposal occurred.
 - 3) The transporter shall sign the original part of a trip ticket and request the generator to do the same at the time of the liquid waste collection. The transporter shall not remove liquid waste from the generator's premises until the generator signs the trip ticket. The transporter shall leave the first copy (yellow) of the trip ticket with the generator.
 - 4) The transporter shall have the disposer sign the original part of the trip ticket at the time the waste is disposed of, and shall leave the second (pink) copy of the trip ticket with the disposer.
 - 5) The transporter shall retain the third copy (green) of the trip ticket for the transporter's own records.

- 6) The transporter shall return the fourth copy of the trip ticket to the generator within fifteen (15) days after the waste is received at the disposal facility.
- 7) The transporter shall deliver to the Director all completed original trip tickets no later than the tenth (10th) day of the month following the month in which they were completed.
- 8) The transporter shall retain its copies of all trip tickets for a period of five years and shall make such copies available to the Director, upon request, for inspection at all reasonable times.
- 9) A person commits an offense if the person engages in the transportation of liquid waste and fails to comply with any provision of this section.

SECTION V
SUSPENSION OR REVOCATION OF PERMIT

After notice and hearing the Director may suspend for up to six (6) months or may revoke a permit if the Director determines that:

- 1) The permit holder, a partner of the permit holder, a principal in the permit holder's business, a permit holder's manager or operator, or an officer of the permit holder:
 - a) Has within the five (5) years preceding the date of the hearing been convicted of a misdemeanor that is punishable by confinement and/or by a fine exceeding \$500.00, and which relates directly to the duty or responsibility in operating a liquid waste transportation business; or
 - b) Has been convicted of a felony which relates to the duty or responsibility in operating a liquid waste transportation business;
- 2) The permit holder failed to comply with any of the permit conditions stated in Section III (e);
- 3) The permit holder or an employee failed to use the manifest system book in compliance with this article, or to maintain manifests for five years, or to allow the Director to inspect the manifest;
- 4) The permit holder or an employee improperly disposed of liquid waste;
- 5) The permit holder or an employee commingled liquid waste with Hazardous Waste or Class 1 Nonhazardous Industrial Solid Waste in a city-permitted vehicle;
- 6) The permit holder or an employee refused to allow the Director or a Peace Officer to inspect a liquid waste transportation vehicle or obtain liquid waste samples from such vehicle;
- 7) The permit holder or any employee thereof, within the twelve months preceding the hearing, was convicted of violating this article; or
- 8) The permit holder's liquid waste transporter registration issued by the Commission expired, or was suspended or revoked.

SECTION VI
GENERATOR RESPONSIBILITIES

- a) A generator shall have liquid waste removed from its liquid facilities only by a transporter holding a valid permit issued by the director to do so.
- b) Prior to liquid wastes being removed from its premises a generator shall determine whether the disposer who will be disposing of the waste is permitted or approved for such by the Commission.
- c) A generator shall determine whether its liquid waste contains Hazardous Waste or Class 1 Nonhazardous Industrial Solid Waste and shall not have Hazardous Waste, Class 1 Nonhazardous Industrial Solid Waste, or Hazardous Wastes or Class 1 Nonhazardous Industrial Solid Wastes combined with liquid wastes removed from its premises by a transporter operating under a city permit.
- d) Prior to a transporter leaving a generator's premises with a load of liquid waste, a generator shall sign the original of a city trip ticket prepared by the transporter.
- e) A generator shall keep a copy of all city trip tickets for liquid waste collected from its premises, for a period of five years, and shall make such trip ticket copies available to the Director for inspection at all reasonable times.
- f) A generator shall install or provide liquid waste facilities on its premises of such type and size as specified by the Director.
- g) A generator shall maintain its liquid waste facilities as follows:
 - 1) Liquid waste facilities shall be maintained in continuous, proper working condition.
 - 2) Pumping out of wastes.
 - a) Grease traps located upon the premises of food establishments shall be one hundred percent (100%) pumped out a minimum of once every ninety (90) days, and at all other times as necessary to maintain their effectiveness. The director may order a generator to have its grease traps pumped out more frequently than every ninety (90) days if the Director determines such is necessary for the protection of the sanitary sewer.
 - b) Grit traps shall be one hundred percent (100%) pumped out minimum of once per year; and at all other times as necessary to maintain their effectiveness. The Director may order a generator to have its grit traps pumped out more frequently than once per year if the Director determines such is necessary for the protection of the sanitary sewer.

- 3) Liquid waste facilities shall be inspected for seepage into the surrounding media whenever the trap has been pumped. The generator shall repair, replace, or install apparatus and equipment as necessary to ensure the proper operation and function of the liquid waste facilities.
- h) A generator shall supervise the servicing of the generator's liquid waste facilities and shall insure that they are completely emptied by the transporter during such servicing.
- i) A generator shall maintain records of liquid waste facility inspections for three (3) years and shall make such records available to the Director for inspection at all reasonable times.
- j) A generator shall report all spills occurring during collection to the Director within 24 hours.
- k) A generator shall immediately clean up or cause to be cleaned up all spills of liquid waste and shall have the waste properly disposed of by a transporter.
- l) A person commits an offense if the person is a generator of liquid waste and fails to comply with any provision of this article or any order of the Director authorized by this article.
- m) A person commits an offense if the person is a generator of liquid waste and allows liquid waste that emits noxious odors or offensive odors, or that creates an unsanitary condition or which is injurious to the public health, to accumulate upon premises under the person's control.

**SECTION VII
DISPOSER RESPONSIBILITIES**

- a) A disposer shall sign the original of a city trip ticket prepared by a transporter operating under a city permit for all liquid waste received on the disposer's premises from such transporter.
- b) The disposer shall note any significant discrepancies on each copy of the trip ticket.
 - 1) Trip ticket discrepancies are differences between the quantity or type of waste designated on the trip ticket and the quantity or type of waste a disposer actually receives.
 - 2) Significant discrepancies in type are obvious differences which can be discovered by inspection or waste analysis. Significant discrepancies in quantity are:
 - a) For bulk weight, variations greater than ten percent (10%) in weight; and
 - b) For liquid waste, any variation greater than fifteen percent (15%) in gallons
 - c) A person commits an offense if the person disposes of liquid waste in violation of subsections (a) or (b) of this section.
 - d) In order to retain city approval of its disposal site, a disposer shall comply with subsections (a) and (b) of this section, and shall:
 - 1) Maintain all valid federal, state, and local permits required to operate a disposal site;

- 2) Comply with all federal, state, and local laws pertaining to the operations of the disposal site;
- 3) Accept only those classes of liquid waste authorized under federal, state, and local laws; and
- 4) Dispose of liquid waste in accordance with federal, state, and local laws

**SECTION VIII
ADDITIONAL PERMIT HOLDER RESPONSIBILITIES**

- a) A permit holder shall immediately notify the Director in writing when the liquid waste transportation business is sold or ceases to operate.
- b) In addition to the written notification required in subsection (a) above, the permit holder shall immediately deliver to the Director:
 - 1) All completed original trip tickets in the permit holder's possession;
 - 2) All unused trip tickets in the permit holder's possession; and
 - 3) The permit holder's permit.
- c) The permit holder shall remove the city registration number from all liquid waste transportation vehicles upon the sale or cessation of operation of the liquid waste transportation business.
- d) A person commits an offense if the person has a permit to transport liquid waste and violates any provision of this section.
- e) A permit shall be invalid upon the sale or cessation of operation of a liquid waste transportation business.

**SECTION IX
PREVIOUSLY ISSUED PERMITS**

All permits issued by the Director to liquid waste transporters pursuant to the previous version of this article shall remain valid until their expiration or until their expiration or until their revocation pursuant to the ordinance under which they were issued.

SECTION X
INTERFERENCE WITH GREASE TRAP, GRIT TRAP OR SANITARY SEWER

A person commits an offense if the person causes or permits the plugging or blocking of, or otherwise interferes with or permits the interference with a grease trap, grit trap, or the sanitary sewer.

SECTION XI
BIOREMEDIATION OF GREASE TRAPS

- a) A person commits an offense if the person introduces, causes, permits, or suffers the introduction of any bioremediation media into a grease trap.
- b) It is an affirmative defense to an enforcement of subsection (a) above that the use of the bioremediation media has been approved by the Director, and the media and the use of the media met all criteria of subsection (c).
- c) Bioremediation media may be used with the Director's approval if the person has proved, to the satisfaction of the Director, that:
 - 1) Laboratory testing which is valid for the type of grease trap to be used has verified that:
 - a) The media is a pure live bacterial product and does not contain any surfactants, emulsifiers, or substances which act as solvents for fate.
 - b) The total mass of oil and grease discharge to the sanitary sewer after the use of the media will not exceed the discharge limits for oil and grease established in the industrial waste regulations contained in Article 13.06 of Chapter 13 of this code.
 - c) The pH of the discharge is not less than 5 or greater than 12.
 - d) The use of the media does not reduce the buoyancy of the grease layer in the grease trap and does not increase the potential of oil and grease to be discharged to the sanitary sewer.
 - e) The media is not destroyed by the use of domestic or commercial disinfectants and detergents, or by hot water.
 - f) Any waste pumped from the grease trap after use of the media is acceptable at disposal sites for grease trap waste.
 - g) The use of the bioremediation media does not cause foaming or obstruction in the sanitary sewer.

**SECTION XII
NUISANCES**

- a) A vehicle transporting liquid waste which is leaking or spilling from such vehicle is hereby declared to be a nuisance.
- b) Any premises upon which liquid waste has accumulated and which is emitting noxious or offensive odors, or which is creating an unsanitary condition, or which is injurious to the public health is hereby declared to be a nuisance.

**SECTION XIII
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION XIV
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of ordinances and the Code of the City of Sansom Park, Texas, as amended, except where the provisions are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

**SECTION XV
PENALTY CLAUSE**

Any person, firm or corporation, who violates, disobeys, omits, neglects, refuses or fails to comply with or who resists the enforcement of any provision of this Article shall be fined in accordance with the general penalty provision found in Section 1.01.009 of this Code per violation, per day, for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION XVI
PUBLICATION**

The City Secretary of the City of Sansom Park is hereby directed to publish the caption, penalty clause and effective date clause in the official newspaper at least once within ten (10) days after the passage of this Ordinance.

**SECTION XVII
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

PASSED AND APPROVED this the _____ day of _____, 2015.

Jim Barnett, Jr.
Mayor

ATTEST:

Wendy Blocker
City Secretary

APPROVED AS TO FORM AND CONTENT:

D. Lee Thomas
City Attorney