

3 AN ORDINANCE AMENDING CHAPTER 51: SEWERS  
4 CITY OF FORT WAYNE, CODE OF ORDINANCES

5 **WHEREAS**, in 2020, the Common Council of the City of Fort Wayne, Indiana ("Common  
6 Council") adopted Ordinance G-6-20, which authorized the city to enter into agreements with one  
7 or more waste haulers to provide maintenance and cleaning services for interceptors and traps  
8 used by food service establishments within the city's sewer service territory; and

9 **WHEREAS**, the city is in the final stages of developing a new and innovative program  
10 called the City Utilities Grease Cooperative ("Cooperative"), which is a voluntary program  
11 intended to help food service establishments within the city's sewer service territory to ensure  
12 proper maintenance of grease interceptors and traps, while also allowing the city to further  
13 explore the use of fats, oils, and grease as a renewal energy source; and

14 **WHEREAS**, the city has negotiated an agreement with a waste hauler to provide  
15 maintenance and cleaning services on behalf of food service establishments within the city's  
16 sewer service territory that elect to participate in the Cooperative; and

17 **WHEREAS**, under the agreement with the waste hauler, the city will perform  
18 administrative functions such as scheduling services and coordination of billing for food service  
19 establishments participating in the Cooperative; and

20 **WHEREAS**, in consideration of their participation in the Cooperative, food service  
21 establishments will pay a monthly fee as part of their regular utility bill; and

22 **WHEREAS**, the Board of Public Works of the City of Fort Wayne, Indiana has  
23 recommended approval of the table of fees set forth in this ordinance for food service  
24 establishments that elect to participate in the Cooperative.

25 **NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY  
26 OF FORT WAYNE, INDIANA:**

27 **SECTION 1.** That Section 51.073 "Bulk Waste Charges" is deleted in its entirety and  
28 replaced with the following;

29 **§ 51.073 BULK WASTE CHARGES.**

- 30 (A) *Bulk industrial waste charge.* All industrial waste suitable for disposal, which has been delivered by an approved waste hauler to city's plant. For purposes of computing charges hereunder, a **LOAD** is defined as 1,000 gallons of tank capacity or any fraction thereof.

	<i>Unit of Measure</i>	<i>Effective 2020</i>	<i>Effective January 1, 2021</i>	<i>Effective January 1, 2022</i>	<i>Effective January 1, 2023</i>	<i>Effective January 1, 2024</i>
Discharge	1,000 gallons	\$123.67	\$124.05	\$124.33	\$129.85	\$136.57
Billing Charge	Per bill	\$5.51	\$5.57	\$5.81	\$6.02	\$6.15

(B) *Domestic*. All domestic waste delivered to the city's plant by customer's truck or tank. For purposes of computing charges hereunder, a **LOAD** is defined as 1,000 gallons of tank capacity or any fraction thereof.

	<i>Unit of Measure</i>	<i>Effective 2020</i>	<i>Effective January 1, 2021</i>	<i>Effective January 1, 2022</i>	<i>Effective January 1, 2023</i>	<i>Effective January 1, 2024</i>
Discharge	1,000 gallons	\$64.52	\$64.72	\$64.87	\$67.74	\$71.25
Billing Charge	Per bill	\$5.51	\$5.57	\$5.81	\$6.02	\$6.15

(C) *Contracted services*. The city or its designated agent may enter into agreements with producers of bulk waste to deliver waste to the city's plant on terms and conditions that are mutually acceptable to the producer and the city or its designated agent. For purposes of this subsection, the city or its designated agent shall have the authority to negotiate the pricing for the delivery and acceptance of waste from each producer, taking into consideration factors such as volume and quality of waste and any other factors determined to be appropriate by the city or its designated agent.

(D) *Manifest*. All bulk waste loads delivered to the water pollution control plant shall be accompanied by a "waste hauler manifest," the form for which will be provided by the city or an agent working on the city's behalf.

**SECTION 2.** That Section 51.073.5 "FOG Grease Cooperative" is added to the Fort Wayne Code of Ordinances as a NEW section, to read as follows:

**§ 51.073.5 CITY UTILITIES GREASE COOPERATIVE.**

(A) City Utilities Grease Cooperative. To improve the sustainability of the city's POTW and continue to explore the use of fats, oils, and grease as a renewable energy supply, the city may enter into agreements with waste haulers to provide maintenance and cleaning services for interceptors and traps used by food service establishments. Subject to the terms of this section, the Board of Public Works is authorized to develop terms and conditions regarding participation in any such maintenance and cleaning program by food service establishments.

(B) Monthly service fees. Fees for food service establishments that participate in the City Utilities Grease Cooperative shall be as follows:

<b><i>Program Fees</i></b>	<b><i>Quantity*</i></b>	<b><i>Unit of Measure***</i></b>	<b><i>Monthly Fee</i></b>
Outdoor Grease Interceptor – Administrative Service Charge	1.00	Equivalent Outdoor Interceptor	\$16.25
Outdoor Grease Interceptor – 4 per year service	1.00	Equivalent Outdoor Interceptor	\$108.33
Outdoor Grease Interceptor – 6 per year service	1.00	Equivalent Outdoor Interceptor	\$162.50
Outdoor Grease Interceptor – 12 per year service	1.00	Equivalent Outdoor Interceptor	\$325.00

Indoor Grease Interceptor – Administrative Service Charge	1.00	Equivalent Indoor Interceptor	\$17.92
Indoor Grease Interceptor – 12 per year service	1.00	Equivalent Indoor Interceptor	\$212.50
Outdoor Grease Interceptor – Tank Cleaning**	1.00	Equivalent Outdoor Interceptor	\$125.00

\*Quantity will be not less than 1.00, but could be anything above that, rounded to two (2) decimal places

\*\* This fee, once activated, will automatically roll off after 12 months

\*\*\* Definitions:

Equivalent Outdoor Interceptor (EOI): 1.00 = 1,000 gallons, pro-rated by gallons for quantities above 1.00 (e.g., a 1,700 gallon interceptor would have a quantity of 1.70)

Equivalent Indoor Interceptor (EII): 1.00 = 250 gallon grease interceptor, increased by units of .25 for each EII above 1.00, minimum quantity is 1.00.

(C) Issuance of Bills; Delinquency. The fees provided in this section shall be added to the customer's regular monthly utility bill and shall be due and payable at the same time as other charges for utility services reflected in the bill. Fees that are not paid by the due date stated in the bill shall be considered delinquent. In the case of delinquent fees for services provided in connection with the City Utilities Grease Cooperative, the city shall have all of the remedies set forth in this chapter, which shall be in addition to any other remedies set forth in the terms and conditions of enrollment established by the Board of Public Works.

**SECTION 3.** Except for the foregoing amendments, the remaining sections of Chapter 51 of the City of Fort Wayne, Indiana, Code of Ordinances shall remain in full force and effect.

**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5.** This Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor and due legal publication hereof.

  
 \_\_\_\_\_  
 Council Member

APPROVED as to form and legality

  
 \_\_\_\_\_  
 Malak Heiny, City Attorney

## CHAPTER 51: SEWERS

### Section

#### ***General Provisions***

- 51.001 Definitions
- 51.002 Damage to city property prohibited
- 51.003 Dilution
- 51.004 Accidental discharges

#### ***Connections and Extensions***

- 51.015 Requirements for connection to public sewers
- 51.016 Extensions of sewers outside corporate limits
- 51.017 Connections to sewerage system by certain properties outside corporate limits

#### ***Commercial and Industrial Wastes and Discharges***

- 51.030 Prior approval for certain wastes
- 51.031 Pretreatment facilities; approval of proposed plans; operation
- 51.032 Federal pretreatment standards
- 51.033 Prohibited discharges and limitations
- 51.034 Responsibility for obstruction or damage to sewers
- 51.035 Submission of data on industrial waste, industrial waste discharge permits
- 51.036 Confidential information
- 51.036.5 User inventories from contributing municipalities
- 51.037 Control manholes
- 51.038 Grease and sand traps
- 51.039 Inspections; waste sampling
- 51.040 Waste analysis procedures and charges
- 51.041 Use of representative analysis

#### ***Private Sewage Disposal***

- 51.050 Definitions
- 51.051 Sewage disposal
- 51.052 Construction requirements of private sewage disposal systems

- 51.053 Construction permit
- 51.054 Installers registration
- 51.055 Inspection
- 51.056 Maintenance and sampling
- 51.057 Economic hardship
- 51.058 Denial; suspension; revocation
- 51.059 Penalties

### ***Sewer Rates and Charges***

- 51.065 Charges based upon water usage/flat charges
- 51.066 Water obtained from sources other than city's water utility
- 51.067 Exempt water; general
- 51.068 Metering of sewage
  - 51.068.5 Deposit to ensure payment of sewer fees; refunds; forfeitures; uses
- 51.069 Metered retail user charges
- 51.070 Flat retail user charges
- 51.071 Continuing surveillance sampling/waste evaluation charges
- 51.072 Strength of waste surcharge
- 51.073 Bulk waste charges
  - 51.073.5 FOG Grease Cooperative
- 51.074 Other rates and charges
- 51.075 Monthly capital improvement surcharge
- 51.076 Area connection fees
- 51.077 Contract customers

### **§ 51.073 BULK WASTE CHARGES.**

~~(A) *Bulk industrial waste charge.* All industrial waste suitable for disposal, which has been delivered by an approved waste hauler to city's plant. For purposes of computing charges hereunder, a **LOAD** is defined as 1,000 gallons of tank capacity or any fraction thereof.~~

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~~—(D) *Manifest*. All bulk waste loads delivered to the water pollution control plant shall be accompanied by a “waste hauler manifest,” the form for which will be provided by the city or an agent working on the city’s behalf.~~

~~—(E) *FOG grease cooperative*. To improve the sustainability of the city’s POTW and continue to explore the use of fats, oils, and grease as a renewable energy supply, the city may enter into agreements with waste haulers to provide maintenance and cleaning services for interceptors and traps used by food service establishments. The Board of Public Works is authorized to develop terms and conditions regarding participation in any such maintenance and cleaning program by food service establishments.~~

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(Ord. G-19-14, passed 7-22-14; Am. Ord. G-6-20, passed 2-25-20)

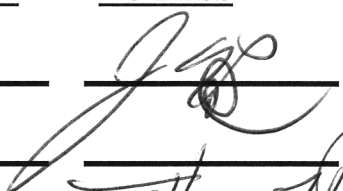
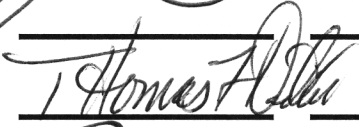


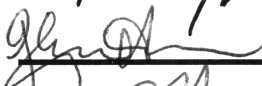
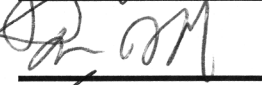


**BILL NO. G-22-09-30**

**REPORT OF COMMITTEE ON REGULATIONS  
October 11, 2022**

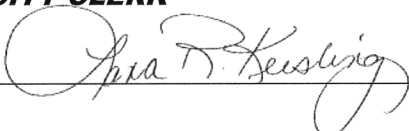
***Paul Ensley Chair  
Tom Freistroffer Co-Chair  
All Council Members***

An Ordinance amending Chapter 51: Sewers City of Fort Wayne, Code of Ordinances

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date:

Read the first time in full and on motion by Councilperson Ensley.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilperson Ensley, placed on passage by the following vote:


<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

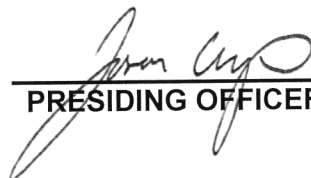
DATED: October 11, 2022

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
 General Ordinance No. G-22-09-30 on the 11th day of October, 2022

ATTEST:

  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

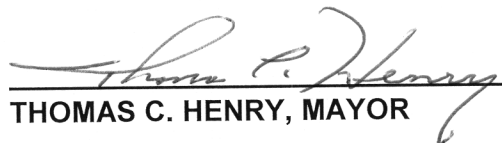
  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th  
 of October 2022, at the hour of 10:35 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13<sup>th</sup> day of OCTOBER 2022, at the  
 hour of 8:30 o'clock AM E.S.T.

FORT WAYNE, INDIANA  
**RECEIVED**  
 OCT 13 2022  
 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR