**Food Services Establishments Code of Practice**

#  Purpose

* 1. Pursuant to Section 4.3 of the Wastewater Bylaw, this Code of Practice sets out the requirements for managing Wastewater Discharged from a Food Services Establishment into the City Wastewater System.

# DEFINITIONS AND INTERPRETATION

* 1. In this code of practice:
		1. “**Adverse Effect**” means impairment of, or damage to, any one or more of the following:
			1. human health or safety;
			2. property;
			3. the Environment; or
			4. the City Wastewater System;
		2. “**Applicable Law**” means all applicable statues, common laws, ordinances, rules, orders, licenses, permits, directives, bylaws or other instruments having the force of law and, includes Approvals; the permits required by the City; designations and standards published by the GM, standards published by the Standards Council of Canada; the regulations, Codes of Practice, codes and standards established under the *Safety Codes Act*, RSA 2000, c S-1, including National Building Code – Alberta Editions, National Fire Code – Alberta Edition, Alberta Private Sewage Systems Standard of Practice and the National Plumbing Code of Canada (NPC); and the Environmental Protection and Enhancement Act and the Waste Control Regulation;
		3. “**Approval**” means the express prior written consent of the GM;
		4. “**City**” means the City of Medicine Hat;
		5. “**City Wastewater System**” means the system or works of sewage disposal and treatment operated by or on behalf of the City;
		6. **“Code of Practice”** means a set of practices applicable to specific industrial, commercial or institutional sector operations; a Code of Practice identifies mandatory procedures, standards, equipment or other provisions required as a condition of Wastewater Discharge into the City Wastewater System by the specified sector Discharger;
		7. “**Food Services Establishments**” means a place where food that is intended for public consumption is prepared, served, offered for sale, displayed, processed, packaged stored or handled;
		8. “**Discharge**” means to directly or indirectly Release into the City Wastewater System;
		9. **“Domestic Wastewater”** means conventional Wastewater produced on a residential premises and Wastewater from showers and restroom washbasins produced on a non-residential property;
		10. **“Environmental Utilities”** means the City’s Environmental Utilities Department;
		11. “**Fats, Oils and Grease,** **(FOG)**” means animal or vegetable fats, oils and grease originating from processes such as food preparation; cooking; cleanup of cookware, tableware; and moping of FOG laden floors, etc. Examples of sources of FOG includes, food scraps, meat fats, lard, sauces, soups, gravies, cooking oil, butter and margarine, etc. Discharge of FOG into City Wastewater System can impair the operation of the City Wastewater System;
		12. **“Garburator”** means a mechanical device that shreds solid Matter to reduce its particle size and is connected to the City Wastewater System;
		13. “**GM**” means Director, City Assets, or delegate;
		14. “**Interceptor**” means a receptacle that is installed to prevent Matter from entering the City Wastewater System. An Interceptor is a type of Pre-Treatment Process;
		15. "**Matter**" means one or more of the following and any combination thereof:
			1. solid matter;
			2. liquid matter; or
			3. gaseous matter; and
			4. any sound, vibration, heat, radiation or other form of energy;
		16. “**Over-Strength Wastewater**” means Wastewater which has concentrations of one or more Contaminants in excess of the limits designated for those Contaminants by the GM and published on the City’s website in accordance with the Wastewater Bylaw Section 4.2;
		17. “**Person**” means any individual, partnership, firm, corporation, municipality, association, society, political or other group or legal entity, and their heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law;
		18. “**Pre-treatment Process**” means one or more treatment processes or devices designed to prevent, reduce or control Matter in Wastewater, except through dilution, such that the Wastewater complies with the Wastewater Bylaw and this Code of Practice when entering the City Wastewater System;
		19. “**Pre-treatment Residue**” means all matter removed from Wastewater by a Pre-treatment Process;
		20. “**Prohibited** **Matter**” means any Matter that is not permitted to be used in the City Wastewater System or Discharged, pursuant to Section 7(1) of the *Wastewater and Storm Drainage Regulation*, Alberta Regulation 119/1993 and the Matter designated by the GM and published on the City’s website in accordance with the Wastewater Bylaw Section 4.2;
		21. “**Property**” means a Parcel including any Buildings, or any part or parts thereof;
		22. “**Release**” means to spill, discharge, dispose of, spray, inject, inoculate, abandon, deposit, leak, seep, pour, emit, empty, throw, dump, place and exhaust;
		23. **“Standards”** means the standards established by the International Organization for Standardization; the City of Medicine Hat Environmental Utilities Construction Specifications Manual; the Standard Methods for the Examination of Water and Wastewater published by the American Public Health Association, American Water Works Association and the Water Environment Federation; and all other applicable standards; and
		24. “**Wastewater**” means the composite of liquid and liquid-carried Matter.
	2. Wherever a word used in this Code of Practice is capitalized, the term is being used as it is defined in section 2.1, and where any word appears without capitalization, its common meaning in the English language is intended.
	3. A word or expression and grammatical forms of the same word or expression have corresponding meanings.
	4. Headings or sub-headings are inserted for ease of reference and guidance purposes only and do not form part of this Code of Practice.
	5. The words “includes” and “including”, where used in this Code of Practice, are not intended to be exclusive and in all cases means “includes without limitation” and “including without limitation” respectively.
	6. The word “shall” and “must”, where used in this Code of Practice, are to be read and interpreted as mandatory and the word “may”, where used in this Code of Practice, is to be read and interpreted as permissive.

# Obligations

* 1. A Person operating a Food Services Establishment shall comply with the Wastewater Bylaw, this Code of Practice and any other Applicable Law and Standards.
	2. Nothing in this Code of Practice relieves a Person Discharging Wastewater from complying with the Wastewater Bylaw, any other bylaw, Wastewater service permit or any other Applicable Law and Standards.
	3. GM may require a Food Services Establishment to obtain a Wastewater service permit if considered necessary by the GM because of circumstances not covered by this Code of Practice.
	4. This Code of Practice does not apply to a Food Services Establishment that is subject to a Wastewater service permit, unless otherwise specified in the Wastewater service permit.
	5. If this Code of Practice establishes a requirement that differs from a provision in the Wastewater Bylaw, the requirement in this Code of Practice shall prevail.
	6. This Code of Practice does not apply to the Discharge of Domestic Wastewater.
	7. The GM may, at its sole discretion, grant or refuse to grant an Approval or amendment to Approval, authorizing an exception to any of the provisions of this Code of Practice.

# DISCHARGE REGULATIONS

* 1. Pursuant to Section 4.2 of the Wastewater Bylaw, a Person operating a Food Services Establishment must not Discharge or allow the Discharge of any Wastewater which, at the point of Discharge into the City Wastewater System, contains:
		1. Prohibited Matter, set out in Schedule “C” that is published on the City’s website;
		2. Pre-Treatment Residue; and/or
		3. Over-Strength Wastewater, set out in Schedule “D” that is published on the City’s website.
	2. A Person operating a Food Services Establishment is required by this code of practice to install on their facility a Pre-treatment Process, which includes an Interceptor. All fixtures that Discharge Wastewater containing Fats, Oils and Grease (FOG) must be connected to an Interceptor. A Person Operating the facility shall:
		1. obtain and retain at the Property any manuals, instructions and specifications related to the installation, operation, maintenance and cleaning of the Interceptor;
		2. ensure that the Pre-treatment Process and the installation, performance, testing, operation, monitoring, cleaning and maintenance thereof, complies with the manufacturer’s instructions and Applicable Law;
		3. ensure the Interceptor can be easily accessed for inspection, monitoring, cleaning and maintenance;
		4. at the time performed, document the maintenance and cleaning of the Interceptor, including the methodology of disposal of Pre-Treatment Residue, on a City of Medicine Hat issued form, and:
			1. submit the documentation to the GM biannually, by sending via email to eu@medicinehat.ca, within the first week of every half of a year; and
			2. maintain the documentation for a period of at least two (2) years;
		5. provide any of the records identified in Section 4.2.1\* and 4.2.4\* to the GM, on demand;
		6. ensure that:
			1. the Interceptor is designed and sized in accordance with the Canadian Standards Association CAN/CSA B481 - Grease Interceptors Standard;
			2. the Interceptor at no time has a combined volume of FOG and solids in excess of 25% of the total liquid depth of the Interceptor (from the static water line to the bottom of the FOG interceptor); and
			3. at the time the interceptor is cleaned, the company providing the cleaning service documents the required information on a City of Medicine Hat issued form and submits the documentation to the GM, by sending via email to eu@medicinehat.ca, within a week after the cleaning;
		7. Allow the inspection of the Pre-treatment Process by the GM during the ordinary business hours of the Food Services Establishment operation.
	3. A Person operating a Food Services Establishment shall:
		1. request written authorization from the GM before Discharging Wastewater from a new source;
		2. install spill containment units anywhere there is a possibility of a spill of Prohibited Matter and/or Over-Strength Wastewater into a floor drain connected to the City Wastewater System;
		3. have a spill response plan which shall be readily accessible in the premises of the operation; and
		4. in the event of a spill of Prohibited Matter and/or Over-Strength Wastewater, when safe to do so, carry out the provisions of the spill response plan immediately to prevent or discontinue the Discharge of spilled material.
	4. A Person operating a Food Services Establishment **shall not**:
		1. install a Garburator or similar food waste grinding device that may result in the food waste being Discharged, without an Approval; or
		2. use, or allow the use of, use enzymes, other biological substances, emulsifiers, solvents, hot water or any other agent to facilitate the passage of Prohibited Matter, FOG and Over-Strength Wastewater through an interceptor.

# RELEASE REPORTING

* 1. If a Person operating a Food Services Establishment Releases or causes or allows a Release of any Matter into the City Wastewater System in contravention of this Code of Practice, the Wastewater Bylaw or any other Applicable Law, that Person shall, as soon as that Person knows or ought to know of the Release:
		1. take all reasonable measures to repair, remedy and confine the effects of the Released Matter;
		2. report the Release, in accordance with Section 5.2, to:
			1. the 9-1-1 Emergency telephone number, if the Release poses an imminent threat of an Adverse Effect;
			2. Environmental Utilities by phoning (403)529-8176 or sending an email to eu@medicinehat.ca;
			3. any other applicable Governmental Authority; and
			4. where the Person reporting knows or is readily able to ascertain the identity of such Persons:
				1. the Owner of the Property where the Release occurred; and
				2. any other Person that may be affected by the Release.
	2. A report made pursuant to Section 5.1.2 shall include the name and contact information of the Person reporting the Release and to the extent that the Person reporting knows or is readily able to ascertain:
		1. the date, time and duration of the Release;
		2. the location of the Release;
		3. the type, characteristics, and composition of Matter Released and any known Adverse Effects that have or may result from the Release;
		4. the volume of Matter Released; and
		5. any corrective action that has been taken, is being taken, or is proposed to be taken, to control the Release.
	3. The GM may require a written report to be sent to eu@medicinehat.ca describing, to the extent the Person knows or ought to know, the information indicated in Section 5.2, the cause of the Release and the steps or procedures to be taken to prevent or eliminate similar future Releases from any one or more of the following:
		1. a Person that Released or caused or permitted a Release in contravention of this Code of Practice, the Wastewater Bylaw or any other Applicable Law;
		2. the Owner of the Property where the Release occurred; and
		3. the Person having control of the Matter prior to its Release.

#  Costs and Expenses

* 1. A Person shall be responsible for all costs and expenses associated with measures taken, or required to be taken, by the Person to meet the requirements of this Code of Practice.