



Planning Services Department  
50 West 13<sup>th</sup> Street  
Dubuque, IA 52001-4805  
(563) 589-4210 phone  
(563) 690-6678 TDD  
[planning@cityofdubuque.org](mailto:planning@cityofdubuque.org)

## MAJOR SITE PLAN REVIEW PROCEDURE

**Major site plan review is required for building expansions and all new construction.**  
Major site plans must be prepared by an architect or engineer.

Site plan review is required **prior** to grading, construction, or site preparation. Site plan applications are submitted through the Planning Services Department and are reviewed by the City's Development Review Team (DRT) which is comprised of multiple City departments. Applications are initially reviewed during a virtual DRT meeting within 7-14 days of the submittal date. Applicants and property owners are encouraged to attend the virtual meetings and are welcome to actively partake in the review discussion. The approval timelines for a Major Site Plan Review application will largely depend on the quality and completeness of the submitted site plans and reports, the complexity of the proposed development, and whether any additional City reviews or approvals are required. Filing a site plan review application does not guarantee approval and application fees are nonrefundable. Once approved, any revisions to the approved plans and reports will require submission of a revised site plan application and fee.

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**Step 1.** Call, email, or visit the Planning Services Office to learn more about the site plan review application requirements and submittal/review process. Depending on the project, staff may recommend a **Pre-Application Meeting** in order to identify high-level issues such as street access, utilities, development regulations, zoning, stormwater, and traffic impacts.

Planning Services  
50 West 13<sup>th</sup> Street, 2<sup>nd</sup> Floor (City Hall)  
563.589.4210  
[Planning@CityofDubuque.org](mailto:Planning@CityofDubuque.org)

**Step 2.** Review the checklists and submittal requirements outlined in this application packet, which include the following:

- Application Form and Fee Schedule
- Site Plan Checklist
- Landscape Plan Checklist
- Article 13: Site Development Standards
- Stormwater Facility Design Review Requirements
- Detention Analysis Checklist
- SWPPP Review Checklist
- Stormwater Management Utility Fee Reduction Credit Application
- Fats, Oils, and Grease (FOG) Program (food establishments only)



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**Step 3.** Submit an application packet to the Planning Services Office that includes all of the following materials:

1. A completed, application form that has been signed by the property owner.
2. A copy of the attached applicable checklist(s) confirming the items provided in your submittal package.
3. Application fee (we accept credit card or checks made payable to City of Dubuque).
4. Email or submit electronic copies of all required plans, reports and the application materials. Site plans must be drawn to scale. See the submittal checklist and site plan examples attached hereto. Please note, electronic copies are preferred but paper copies may be accepted.
5. Any other supplemental information that is available or required.
6. Submit your complete application packet and fee directly to the Planning Services Department. **Submittal deadlines are 5:00pm on Wednesdays.**

**Step 4.** Planning staff will schedule your site plan review for a Development Review Team (DRT) meeting the week following your submittal. DRT meetings are held virtually on Thursdays at 10:00 a.m. The applicant(s) is encouraged to virtually attend the DRT meeting to foster improved communication between City staff and the applicant. Within a few days after the meeting, the City will provide the applicant with a summary of all the comments provided during the meeting.

**Step 5.** Submit revised site plan and/or reports, if required. Once a site plan is ready to be approved, an Approval Letter will be issued, and the applicant can proceed to the Inspection & Construction Services Department to apply for permits. If the site plan is denied, the applicant may re-work the proposal or appeal to the Zoning Advisory Commission within 15 days.

## APPLICATION FORM

### Zoning Advisory Commission

- Amended PUD
- Rezoning/PUD/ID
- Text Amendment
- Simple Subdivision
- Preliminary Plat
- Major Final Plat
- Minor Final Plat
- Waiver from Site Design Standards

### Zoning Board of Adjustment

- Conditional Use Permit
- Special Exception
- Variance
- Appeal

### Development Services

- Annexation
- Limited Setback Waiver
- Site Plan Simple
- Site Plan Minor
- Site Plan Major
- Simple Subdivision
- Temporary Use Permit
- Port of Dubuque/  
Chaplain Schmitt Island  
Design Review

### Historic Preservation Commission

- Demolition Review
- Historic Revolving Loan
- Certificate of Economic Non-Viability
- Design Review Certificate of  
Appropriateness
- Advisory Design Review (Public  
Projects)
- Historic Designation

***Please complete the applicable sections below. Please type or print legibly.***

#### **A. Property Information**

Site Location/Address: \_\_\_\_\_

Legal Description/Parcel ID#/Subdivision: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_ Site Area (square feet/acres): \_\_\_\_\_

Historic District: \_\_\_\_\_ Landmark:  Yes  No

#### **B. Describe proposal and reason for application (attach a letter of explanation, if necessary):**

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#### **C. Applicant/Agent Information**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Email: \_\_\_\_\_

#### **D. Property Owner(s) Information**

Name(s): \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Email: \_\_\_\_\_

#### **E. Certification:** I/we, the undersigned, do hereby certify/acknowledge that:

1. Payment does not guarantee approval and fees are nonrefundable;
2. All additional required written and graphic materials are attached;
3. It is the property owner's responsibility to locate property lines and to review the abstract for easements and restrictive covenants; and
4. The information submitted herein is true and correct to the best of my/our knowledge and upon submittal becomes public record.

Applicant/Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

## FOR OFFICE USE ONLY

Fee \$ \_\_\_\_\_ Ck# \_\_\_\_\_  CC  Cash Received by \_\_\_\_\_ Date \_\_\_\_\_

PLANNING SERVICES DEPARTMENT  
City Hall, 50 W. 13th Street, Dubuque, Iowa 52001 (563) 589-4210



## FEE SCHEDULE

Effective July 1, 2025



### DEVELOPMENT SERVICES APPLICATIONS

Billboard Inspection Fee per sign/year	\$ 62
Electronic Message Sign Inspection Fee per sign/year	\$ 62
Extension of Subdivision Bonding	\$ 42
Flood Plain Permit	\$ 190
Flood Way Permit	\$ 763
Limited Setback Waiver	\$ 153
Freestanding Solar Array Waiver	\$ 153
Sign Permit Reviews	\$ 46
Site Plan: Simple	\$ 230
Site Plan: Minor	\$ 410
Site Plan: Major	\$ 470
Simple Subdivision (Staff Review)	\$ 77
Simple Subdivision (Council Action Required)	\$ 510
Temporary Use Permit	\$ 184

### OTHER PLANNING SERVICES FEES

Copies	\$0.25/page *
Maps, Reports & Ordinances	\$15 to \$51/document
Verification Letter, Report (i.e. Zoning, IDOT)	\$ 77

### ZONING ADVISORY COMMISSION APPLICATIONS

Planned District, NEW (PUD) (ID)	\$ 920+ \$2/notice
Planned District, AMENDED (PUD) (ID)	\$ 765 + \$2/notice
Plat: Minor Subdivision	\$ 460 + \$20/Lot
Plat (FINAL): Major Subdivision	\$ 663
Plat (PRELIMINARY): Major Subdivision	\$ 663+ \$20 /Lot
Rezoning	\$ 663 + \$2/notice
Text Amendment	\$ 510
Waiver from Site Design Standards	\$ 460

### ZONING BOARD OF ADJUSTMENT APPLICATIONS

Appeal	\$ 255
Conditional Use Permit	\$ 561+ \$2/notice
Special Exception	\$ 200
Variance	\$ 561+ \$2/notice

### HISTORIC PRESERVATION COMMISSION APPLICATIONS

Design Review (including Economic Non-Viability & Demolition)	\$ 200
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## **SITE PLAN CHECKLIST**

### **Written information to be on the site plan:**

Provide a written explanation/narrative of the request and proposed improvements. This can be provided on the plans or on a separate document.

Site plans shall be drawn to a scale not less than 1" equals 100' and shall be printable to scale on 11" x 17" size paper.

Graphic scale and north arrow.

Legal description and address of the property.

Name, address, and phone number(s) of the property owner(s).

Name, address and phone number(s) of the developer(s) or contractor(s), if different from the owner(s).

Proposed use(s) for all non-residential buildings or structures.

Calculation of impervious area, including building footprint, paving, and total area of lot. The Unified Development Code requires a minimum of 20% of a site area to remain permeable area. Provide the calculation determining what the required permeable area is for the project site (site area x 20%).

Data clearly identifying the following:

- Total number and type(s) of dwelling units on the property;
- Number and type of all structures or buildings, whether residential or nonresidential;
- Total floor area of each building or the number of floors; their elevation and square footage if the building has multiple floors.

Proposed landscaping schedule indicating plant types, number, and timing of installation.

Proposed construction schedule of all structures and physical improvements indicating the timing and sequence of each major structure and improvement.

Present zoning classification(s) of the property.

A certificate of an Iowa licensed professional engineer and/or architect, as applicable, in responsible charge of the preparation of the site plan as required by the Iowa Code.



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Additional graphic information may be required by the City Planner or other City departments after preliminary review of the site plan, if special conditions exist on or adjacent to the proposed development.

Identify location in Special Development Area(s) per Article 13-2, if applicable.

If along riverfront or waterways, check to confirm whether the proposed improvements are within a floodplain or floodway.

**Graphic information to be shown or indicated on the site plan:**

Identify all property lines, lot dimensions, easements, and site area.

Identify the location and exterior dimensions, including height of all proposed and/or existing buildings or structures.

Identify the total square footage of all proposed buildings or structures.

Provide a floor plan for each floor of all proposed buildings or structures.

Identify two stormwater management tools incorporated per the Unified Development Code Article 13-3.3 (the applicable code section is attached to this application).

All erosion control measures, temporary and permanent. Submit copies of PDDES permit and associated storm water pollution prevention plan. Any development that removes the ground cover, grades, excavates, or fills one-acre or more of area must apply to the Iowa Department of Natural Resources for a National Pollution Discharge Elimination system (NPDES) construction site permit.

Existing and proposed contours of the property taken at regular intervals not to exceed two (2) feet and/or spot elevations as necessary to provide adequate drainage information.

All storm sewer improvements, including catch basins, pipe sizes, invert elevations, connections to City sewer mains and drainage swales

Provide storm water runoff calculations to verify pipe sizes and gradient of piping.

Storm water detention will be required to detain the 2, 10, and 100-year storm events for the increase in flow caused by the improvements. Calculations for the above must be provided by a licensed professional engineer. See attached storm water facility design requirements. Please contact Deron Muehring, Civil Engineer (563.589.4270) if you have any questions.



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Proposed connection to City water main. Site plan must indicate location and size of water main, service lateral and location of any valves (stop box or post indicator valve). Please check with Brant Schueller, Water Department (563.589.4305) regarding front footage fee for water main connection.

Proposed connection to City sanitary sewer main. Site plan must indicate location and size of sewer main and service lateral with invert elevations. Please check with Nate Kieffer, Engineer/Land Surveyor (563.589.4270) regarding front footage fee for sanitary sewer main connection and interceptor fees.

Include preliminary sanitary sewer peak and average flows, along with the proposed tie-in locations.

Proposed connections to underground utilities and indicate existing underground utilities in the area including Cable TV, electrical, natural gas, telephone, and fiber optic.

Parking lot material and thickness of pavement.

The dimensions from the proposed building to the property lines.

Proposed locations of geothermal loop systems, including proposed well location(s), drainage outlet piping, and rate of flow (if applicable).

The location and general nature of existing natural features including, but not limited to, trees or brush areas (trees over six (6) inches in diameter must be shown individually), rock outcroppings, streams, wetlands, and other bodies of water.

The location and dimensions of all present and/or proposed paved surfaces, including elevations of the abutting streets and sidewalks. The City of Dubuque Unified Development Code requires that all areas to be used for vehicle travel and parking must be paved.

The location, grade, dimensions, and engineering cross sections must be provided for any existing and/or proposed street within boundaries of proposed development, if applicable.

The location and dimensions of parking stalls, circulation aisles, loading areas and sidewalks, including curb ramps.

The location and dimensions of accessible parking stalls, access aisles and access ramps, including appropriate signage and location of the accessible entrance(s) to the building.



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## LANDSCAPE PLAN CHECKLIST

The Unified Development Code (UDC) Article 13-4 Landscaping and Screening Requirements contains specific information regarding types, locations, and amount of landscaping required on a site. The code section is attached to this checklist for your reference.

The City Planner may request in writing any additional information deemed necessary for the proposed site plan.

The City Planner may waive or relax any of the landscape plan submittal requirements listed above, as circumstances dictate.

### **Written information to be on plan:**

Address of site.

Proposed name of the development.

Name, address, and phone number(s) of property owner(s).

Name, address, and phone number(s) of landscape contractor.

### **Graphic information to be on plan:**

Site plans shall be drawn to a scale not less than 1" equals 100' and shall be printable to scale on 11" x 17" size paper.

Outline of all existing or proposed building or structures, including parking and loading areas.

Boundary lines of the site.

Location of all flood plain areas within the boundaries of the site, if applicable.

Proposed sidewalk or alternate plan for pedestrian ways including any required access easements.

Provide calculations for the required number of trees and shrubs per the UDC requirements.

Size, species and spacing (on center) of all proposed trees, landscaping and ground cover.

Survey of existing trees, if they are to be preserved, indicating location and caliber at six (6) inches above grade.



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Description of methods to preserve trees without injury and with sufficient area for the root system to sustain a tree. At minimum, barrier fencing must be provided at least as far as the drip line of tree.

The location of all landscaping features, such as trees, shrubs, berms and open areas planted with grass. The City of Dubuque Unified Development Code requires parking lots to be screened and a percentage of a development site to be left as open space; please review Article 13 of the Unified Development Code (attached to this application) for a detailed description of these requirements.

## Chapter 13: Site Design Standards

### 13-1 Intent

These Site Design Standards are established in order to achieve the following goals:

- A. Provide standards for the orderly development of the City and the promotion of quality sustainable development.
- B. Implement the goals, objectives and policies of the Comprehensive Plan related to quality development and neighborhood compatibility.
- C. Maintain and protect the value of property.
- D. Maintain a high quality of life without significantly increasing public or private costs for development or unduly restricting private enterprise, initiative, or innovation in design.
- E. Ensure that the placement of buildings, structures, fences, lighting and fixtures on each site shall not interfere with traffic circulation, safety, appropriate use and enjoyment of adjacent properties.
- F. Preserve and enhance property values by ensuring that yards, open spaces, parking lots and public rights of way are designed and maintained with respect to plants and landscape materials.
- G. Ensure that development respects land capabilities and constraints, minimizes erosion and destruction of natural amenities, and reduces conflicts between lands and uses.

### 13-2 Applicability

- A. New Development: Development requiring a site plan under **Section 12-3** of this title on a site that is vacant or substantially cleared real estate, and not in a special development area, shall comply with the Site Design Standards set forth herein.
- B. Redevelopment: Development requiring a site plan under **Section 12-3** of this title on a site with improved real estate, involving partial clearance of 25 percent or more of the building area and/or expansion of 25 percent or more of the building area existing at the time of adoption of this title, and not in a special development area, shall comply with the Site Design Standards set forth herein.
- C. Special Development Areas: Development requiring a site plan under **Section 12-3** of this title that is in one of the following special development areas may be subject to design standards or guidelines in addition to or in lieu of the Site Design Standards set forth herein, as follows.
  1. Urban Renewal Districts. These districts have planning and other criteria that may take precedence over the Site Design Standards set forth herein.
  2. Port of Dubuque Design Standards. This area has design standards that may take precedence over the Site Design Standards set forth herein.
  3. Planned Unit Development (PUD) Districts. These districts may have site development and performance standards that may take precedence over the Site Design Standards set forth herein.
  4. Historic Districts: Historic districts, as regulated by **Chapter 10** of this title, have architectural guidelines that may take precedence over the Site Design Standards set forth herein.
  5. Old Town Neighborhood Overlay District. This overlay district has design guidelines that may take precedence over the Site Design Standards set forth herein.
  6. Architectural Design Guidelines: These guidelines apply to the Downtown Design Guidelines Area and Historic Millwork District in accordance with City policy, and may take precedence over the Site Design Standards set forth herein.
- D. Waiver from Site Design Standards: The Zoning Advisory Commission shall have the power to grant such waivers from the Site Design Standards of this Chapter, as may be reasonable and within the general purpose and intent of the site plan review and approval provisions of this Chapter if the literal enforcement of one or more provisions of this Chapter is impracticable or will exact an undue hardship because of peculiar conditions pertaining to the land in question. The affirmative vote of at least four Commissioners shall be necessary to grant a waiver. The waiver may be granted subject to such conditions as the Commission may establish.

lish to ensure the general purpose and intent of the provisions of this Chapter are followed. At the Commission meeting, the applicant and all other interested parties shall be presented a reasonable opportunity to present their views. Decisions of the Zoning Advisory Commission may be appealed to the Zoning Board of Adjustment in the same manner as appeals from a decision of an administrative officer.

### 13-3 Site Development Requirements

#### 13-3.1 Extension of Public Improvements

A. Installation of Improvements: Public improvements including streets, sanitary sewers, storm sewers, storm-water management facilities, water mains, street lighting, street trees, and sidewalks shall be installed in accordance with the city standards.

1. Definitions: For purposes of this Chapter, the following terms have the following meanings:

Development: Any change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations for which necessary permits may be required.

Fiberoptic network conduit: A pipe, vault, or duct used to enclose fiberoptic cable facilities buried alongside a roadway or surface mounted on a bridge, overpass, or other facility where placement below ground is impossible or impractical. “Fiberoptic network conduit” does not include electronics or cable.

Public Improvement: Streets, sanitary sewers, water mains, streetlights, sidewalks, bike/hike trails, and fiber conduit.

2. Requirement of Developer: For all subdivision or site plan developments, the developer shall connect all public improvements to other streets, sanitary sewers, water mains, streetlights, and fiber network conduit, and bike/hike trails within and through the subdivision or site development, and to the property lines, to provide for their extension to adjacent properties.

Public improvements shall be designed and installed in accordance with the current city standards and specifications and within the time frame specified in the resolution approving the final plat or improvement plan. The developer shall pay the total cost of engineering and construction of extensions of such public improvements.

Plans for such extensions must be approved by the city engineer. The city engineer may grant a waiver of the extension requirements on such terms and conditions as the city engineer determines appropriate.

3. Water Mains:

a. Water mains must be sized to meet requirements for domestic plus fire flow water demands and in accordance with city. The city may require the design and construction of water mains with the ability to service lands other than the immediately adjoining land and may require installation of water mains sized larger than the minimum required to provide domestic and fire flow needs for the development. In this circumstance, the city shall reimburse the developer for the incremental difference in material cost above that of the cost for water main materials needed to provide domestic and fire flow needs. The city will not reimburse the developer for water mains above 8-inch if larger diameter water main is needed to provide domestic plus fire flow water demands in the development.

b. Only mains sized larger than an 8-inch main may be considered eligible for reimbursement purposes. The reimbursement will be based on the difference in pipe and fitting costs only, and no allowance will be made for the difference in installation costs. The developer must provide the city engineer with a current pipe supplier price list for the water main pipe and appurtenances needed to serve the development and the price for the increased pipe size and appurtenances. The city engineer will calculate the reimbursement amount and will document the reimbursement amount in an agreement between the city and the developer.

c. In areas where water main may be extended by a developer past properties owned by others outside of the final plat so as to serve the area of the final plat, such extension shall be at no expense to the city. The city shall not be obligated to collect any portion of this cost for reimbursement to the developer.

4. Sanitary Sewers:

- a. All sanitary sewers mains must be a minimum of 8-inch diameter pipe.
- b. The sanitary sewer extension must be sized by the developer and approved by the city engineer to serve the development and the development of upstream sewersheds property that may be served by the sewer extension.
- c. When the upstream sewersheds property would require the developer to increase the pipe diameter, the city shall reimburse the developer for the incremental difference in sanitary sewer pipe cost above the cost for sanitary sewer pipe needed to provide service for the development. The reimbursement will be based on the difference in sanitary sewer pipe costs only and no allowance will be made for the difference in installation costs.
- d. The city will not reimburse developers for any increase in sanitary sewer pipe diameter beyond 8-inch diameter if the increase in size is a direct result of the development needs.
5. The developer must provide the city engineer with a current pipe supplier price list for the sanitary sewer pipe needed to serve the development and the price for the increased sanitary sewer pipe size. The city engineer will calculate the reimbursement amount and will document the reimbursement amount in an agreement between the city and the developer.
6. When a developer is installing a sanitary sewer lift station to serve the development, the developer is responsible for proper capacity sizing of the lift station to accept flow from upstream sewersheds properties.
7. When the upstream sewersheds properties would require the developer to increase the sanitary sewer lift station capacity, the city shall reimburse the developer for the incremental difference in sanitary sewer lift station capacity cost above the cost for the sanitary sewer lift station needed to provide capacity for the development as determined by the city engineer. The reimbursement will be based on the difference in sanitary sewer lift station costs only and no allowance will be made for the difference in installation costs.

### **13-3.2 Site Lighting**

- A. The following site features shall be illuminated by an exterior light source:
  1. Driveways and loading facilities; and
  2. Pedestrian walkway surfaces and entrances to buildings.
- B. The location and design of site lighting shall conform to the following:
  1. All exterior lighting shall be designed, installed and maintained so as not to cause glare or to shine in adjacent lots and streets;
  2. No light sources shall provide illumination onto adjacent lots, buildings or streets in excess of 1 foot candle;
  3. All exterior lighting luminaries shall be designed and installed to shield light from the luminaire at angles above 72 degrees from vertical;
  4. Fixtures mounted on a building shall not be positioned higher than the roofline of the building;
  5. Wooden utility type poles are acceptable only for temporary use during construction; and
  6. All electrical service lines to posts and fixtures shall be installed underground and concealed inside the posts.

### **13-3.3 Utility Locations**

Service lines and mechanical equipment for utilities shall be located in accordance with the following requirements:

- A. Service Lines: All electrical, telephone, cable, and other similar utility lines serving the building and other site features shall be located underground.

B. Mechanical Equipment: All roof-mounted and ground-mounted electrical transformers, switching gears, relay boxes, meters, air conditioning units, heat pumps and other similar mechanical equipment shall be screened from view to the height of the equipment. Roof-mounted mechanical equipment shall be screened in such a manner that it will appear to be an integral part of the building's overall architectural design.

#### **13-3.4 Stormwater Management**

Stormwater management systems shall be designed in accordance with the requirements of Title 14 Chapter 12 of the Dubuque City Code, as amended. The site, including parking lots, shall be developed using two or more of the following low-impact development tools or other best management practices approved by the City Engineer:

- A. Reduced lot grading: Ground-slope reduction outside the immediate perimeter of a building (where foundation drainage is not a concern) to promote stormwater infiltration or filtration.
- B. Check dams: Where narrow areas and/or excessive grades force the construction of less than ideal steep swales, rock check dams can be added to slow flows, minimize erosion, and improve infiltration or filtration.
- C. French drains and soak-away pits: Rock-filled trenches that promote rapid infiltration or filtration.
- D. Green roofs: Vegetated roofs that reduce run-off, improve energy efficiency, and create a green amenity.
- E. Microbasins: Small depressions to create longer flow paths or localized depressions to encourage longer standing-water periods and infiltration or filtration.
- F. Permeable pavements: Open-graded, permeable asphalt pavement; open-cell unit pavers; and porous concrete—typically used in parking lots and low-traffic areas—to provide storage space and another infiltration or filtration route for stormwater.
- G. Rainwater harvesting systems: Cisterns and rain barrels that harvest water from roof drains and downspouts for landscape watering and nonpotable uses.
- H. Sidewalks and drives sloped toward open space: A tool to provide water for site vegetation, which slows surface water flow, improving infiltration. This technique eliminates the need for curbs, gutters, and catch basins, and the open space slows the transport of untreated water and associated pollutants while reducing construction costs.
- I. Bioswales: Vegetated swales with amended soil backfill and underdrains to improve infiltration or filtration.
- J. Native plantings: Use of native plants to reduce the need for irrigation and reduce runoff. Native plants also slow runoff and improve infiltration or filtration with their deep, fibrous root systems.
- K. Open water features: To reduce runoff through evapotranspiration, improve habitats, and create attractive community amenities.
- L. Rain gardens: Landscape depressions filled with amended, permeable soil and native, deep-rooted, moisture-tolerant plants to promote infiltration or filtration.
- M. Swales: Serpentine, vegetated drainageways that convey water slowly and improve infiltration or filtration.
- N. Trees and other plantings: Landscaping to intercept rainfall, reduce erosion, improve infiltration or filtration, slow runoff, and reduce peak flows.
- O. Tree filters: Systems that divert a portion of parking lot stormwater from gutters into tree planters, where water infiltrates amended soils and surrounds plant roots.
- P. Vegetative buffers: Bands of native plantings that intercept runoff from developed areas before it reaches detention basins or natural water courses (for pretreatment).

#### **13-3.5 Parking Structures**

Parking decks and ramps shall be designed in compliance with these design standards in order to appear compatible with and similar to other nonresidential buildings:

- A. The ground floor facade abutting any public street or sidewalk shall be designed and architecturally detailed to resemble a commercial or office building.
- B. Where possible, the ground floor abutting a public street or sidewalk should include commercial or office uses.
- C. The design of upper floors shall ensure that sloped floors do not dominate the appearance of the facade.
- D. Windows or openings shall be provided that mimic those of nearby buildings.

### **13-3.6           Parking Lot Layout**

- A. All parking lots and driveways shall be hard surfaced. Parking on gravel, dirt or unreinforced turf is prohibited.
- B. Parking lot edges and planting islands may be defined by concrete curb and gutter and/or incorporate approved biofiltration methods. Parking spaces shall be defined with painted striping or other approved methods.
- C. Off-street parking shall be located to the rear and/or side of buildings, when practical. When parking or parking access must be located in the front yard, a landscaped buffer shall be provided.
- D. Parking bays in excess of 11 spaces in length shall provide landscaping at the ends of each aisle in accordance with **Section 13-4.6.C**. Parking bays in excess of 20 spaces in length shall be divided by intermediate landscaped islands, and provide landscaping at the ends of each aisle.
- E. Where perpendicular parking spaces are used, the space adjacent to the closed end of an aisle shall be a minimum of 10 feet wide.
- F. An adequate driveway throat length shall be provided to minimize traffic conflicts; the driveway throat length shall be the distance between the street and the parking lot served by a driveway. Parking spaces shall not be permitted within the driveway throat. Driveway throat lengths for commercial and industrial uses shall be determined by the City Engineer.
- G. Parking spaces shall be provided and located as required by the ADA standards for accessibility.
- H. Parking lots which will be developed in phases require a phasing plan to identify all current and future parking lot requirements. Parking areas should be constructed incrementally to match land use build-out schedules.

#### **13-3.6.1       Parking Lot Provisions for Bicycle Parking**

- A. Bicycle parking shall be required in accordance with **Section 14-9**.
- B. Bicycle parking spaces shall be at least as close as the closest automobile space, except for accessible parking spaces, or as near a regularly used building entrance as possible without interfering with pedestrian traffic.
- C. Bicycle parking areas shall provide a minimum clearance between parked bicycles and adjacent walls, poles, landscaping, and pedestrian walkways of at least three feet, and a minimum clearance between parked bicycles and vehicle parking spaces and drive aisles of at least five feet.

#### **13-3.6.2       Parking Lot Lighting**

The location and design of parking lot lighting shall conform to the following:

- A. All surface parking lot lighting shall be designed, installed and maintained so that no light sources shall provide illumination onto adjacent lots, buildings or streets in excess of one foot candle;
- B. All exterior lighting luminaires shall be designed and installed to shield light from the luminaire at angles above 72 degrees from vertical;
- C. Fixtures mounted on a building shall not be positioned higher than the roofline of the building;
- D. Wooden utility type poles are acceptable only for temporary use during construction; and

E. All electrical service lines to posts and fixtures shall be installed underground and concealed inside the posts.

### 13-3.6.3 Standard Parking Space Dimensions

A. The standard size parking stall should be at least nine feet wide and 18 feet long.

Standard-Size Car Requirements (AASHTO standard)

Degree of Angle	Stall Width (A)	Curb Length (B)	Stall Depth (C)	Stall Length (D)	Aisle Width 1-way/2-way (E)	Island Width (F)
0 deg	8.5 feet	23 feet	n/a	n/a	13 feet/24 feet	n/a
45 deg	9 feet	12.7 feet	19.8 feet	19 feet	13 feet/13 feet	33.2 feet
60 deg	9 feet	10.4 feet	21 feet	19 feet	18 feet/18 feet	37.4 feet
90 deg	9 feet	9 feet	18 feet	18 feet	24 feet/24 feet	36 feet

B. If parking stalls for compact cars are allowed, the stall dimensions should be at least seven feet six inches wide and 16 feet long.

Standard Compact Car Requirements

Degree of Angle	Stall Width (A)	Curb Length (B)	Stall Depth (C)	Stall Length (D)	Aisle Width 1-way/2-way (E)	Island Width (F)
0 deg	7.5 feet	16 feet	n/a	n/a	13 feet/24 feet	n/a
45 deg	8 feet	11.3 feet	17 feet	16 feet	13 feet/13 feet	28.3 feet
60 deg	8 feet	9.2 feet	17.8 feet	16 feet	18 feet/18 feet	31.7 feet
90 deg	8 feet	8 feet	16 feet	16 feet	24 feet/24 feet	32 feet

### 13-3.7 Sidewalks and Walkways

A. Continuous sidewalks a minimum of four feet wide shall be provided in compliance with Section 10-2-1.

B. Clearly defined and lighted pedestrian walkways shall extend between parking areas and all building entrances.

C. All sidewalks and walkways shall meet the ADA standards for accessibility.

## 13-4 Landscaping and Screening Requirements:

### 13-4.1 Intent

The landscaping and screening requirements of this section are intended to promote attractive and harmonious growth of the City. Landscaping is a fundamental component of property development. These provisions are intended to preserve and enhance property values by ensuring that yards, open spaces, parking lots and public rights-of-way are designed and maintained with respect to plants and landscape materials. This section also intends that property development should respect land capability and constraints, minimize erosion and destruction of natural amenities and reduce conflicts between lands and uses.

### 13-4.2 Application and Scope

No new structure, building or parking lot shall be constructed unless in compliance with the landscape and screening standards of this Chapter.

### 13-4.3 Landscape Area Requirements

A. Single-family and two-family dwellings shall maintain a minimum of 20 percent of lot area as a permeable and uncovered surface that contains living material. Single-family and two-family dwellings shall be exempt from other requirements of **Section 13-4**.

B. All other uses shall provide and maintain a landscaped area that equals or exceeds the requirements of **Section 13-4**.

#### 13-4.4 Site Landscaping

- A. Major site plans shall include a landscaping plan indicating how existing topography, natural features, and vegetation will be integrated into the overall site development. A conceptual landscape plan shall be submitted and approved prior to final site plan approval. A detailed landscape plan shall be submitted and approved prior to the issuance of a Certificate of Occupancy. All landscape plans shall be prepared to show the information required by the Planning Services Department.
- B. Street trees planted in the public right-of-way shall not be counted toward fulfillment of the minimum site requirements for number of trees.
- C. Existing trees to be retained on site may be counted toward fulfillment of the landscaping requirements.
- D. Parking lot landscaping requirement in **Section 13-4.6** shall not be counted toward fulfillment of the minimum site landscaping.
- E. The minimum required permeable area shall be 20 percent of the entire site under review.
- F. The following is the minimum landscaping requirement of trees and shrubs, by number, and the type of ground cover required for the entire site under review. Plant species used for landscaping shall be in accordance with street tree and plant lists approved by the City.
  - 1. Minimum tree planting requirements shall be one tree per 1,600 square feet of required permeable area. Minimum tree size shall be at least one and one-half inch caliper measured six inches from the base of the tree for a deciduous tree and six feet in height for a coniferous tree.
  - 2. Minimum shrub requirements at the time of planting shall be six shrubs, or one shrub per 1,000 square feet of required permeable area, whichever is greater. Shrubs shall be a minimum of 18 inches in height or a minimum of three gallons potted.

#### 13-4.5 Preservation of Existing Trees

- A. Existing trees, when located appropriately, may be used to comply with the requirements for buffer yards, street trees, and to meet the tree requirements for parking areas. Existing trees used to satisfy these requirements shall be in good health prior to and following site development.
- B. The same minimum separation distances that are required of new plantings must be observed when possible; except, that existing groupings of two or more trees may be preserved. Trees or branches must be removed from such groupings in the interest of public safety and/or to assure survival of the specimen.
- C. The roots of a tree must be protected during site development with barrier fencing extending at least as far as the drip line of the tree. Any limbs that might be damaged during construction must be pruned.
- D. No paving or construction shall be allowed within the drip line of a preserved tree.
- E. Any preserved tree that dies shall be replaced by the same number of trees for which it substituted during the same or immediately following planting season.
- F. The schedule below shows the acceptable substitution ratio for existing trees to required trees.

Diameter of Existing Tree	Substitution Ratio
36 inches or more	3 required trees
12 to 36 inches	2 required trees
2 to 12 inches	1 required tree

The substitution value for groupings of trees approved by the City shall be based upon the diameter of the largest tree in the group.

**13-4.6           Parking Lot Landscaping**

- A. A landscaped buffer strip shall be provided along the frontage of all surface parking areas at least 10 feet wide along the public right-of-way. The buffer strip shall consist of shade trees, low shrubs, perennial flowers, and/or other plant materials approved by the City Planner. Landscaped earth berms and or decorative walls and fences are permitted provided they are integrated with the landscape screening described above. The use of biofiltration methods of landscape and drainage design is encouraged.
- B. A landscape buffer at least seven feet wide shall be provided along the remaining sides of all surface parking lots. This area shall be planted with any combination of shade trees, coniferous trees, and/or shrubs.
- C. Parking lot landscaping and trees shall be dispersed throughout the parking lot in accordance with **Section 13-3.5.D**, and the following:
  - 1. For single parking bays, landscaped islands shall provide at least one parking space of landscape area, measuring at least nine feet by 18 feet, and shall be planted with a combination of one tree, low shrubs, perennial flowers, turf, and/or ground cover/ornamental grasses but shall not be planted entirely with turf.
  - 2. For double parking bays, both the end landscaped islands and the intermediate landscaped islands shall provide a double parking space of landscape area, measuring at least nine feet by 36 feet, and shall be planted with a combination of one shade tree or two ornamental/dwarf trees, low shrubs, perennial flowers, turf, and/or ground cover/ornamental grasses measuring no more than three feet in height, but shall not be planted entirely with turf.
- D. No tree, shrub, hedge, or berm shall be placed or encroach into an area the City Engineer determines is an obstruction to visibility, or extends into a visibility triangle affecting the public right-of-way.

**13-4.7           Street Trees**

- A. Street trees shall be planted within a landscaped parkway or in tree pits within the sidewalk area according to Chapter 8-6-1 of the Dubuque City Code and the *City of Dubuque Street Tree and Landscaping on Public Right-of-Way Policy*.
- B. Street trees planted within the sidewalk area shall be planted using best management practices.

**13-4.8           Screening Requirements**

- A. All commercial and industrial uses that abut residential, office, or institutional districts, shall maintain screening not less than six feet along the abutting property line or lines.
- B. Screening required by this ordinance shall be equivalent to the following:
  - 1. Fences with at least 50 percent opaque construction; or
  - 2. Hedges, shrubs or evergreen trees of at least 30 percent opacity at the time of installation and 50 percent opacity maintained within three years of installation; or
  - 3. Berms or graded slopes of not less than three feet of mean height. Such berms or graded slopes shall contain at least 50 percent living material.

**13-4.9           Exterior Trash Collection Areas**

- A. Exterior trash collection areas shall include collection bins, dumpsters, and similar waste receptacles for the short-term storage and collection of trash. Trash shall include garbage, scrap, recyclables, debris and similar materials.
- B. The storage of trash shall be limited to that produced by the principal permitted use and accessory uses of the lot. Exterior storage of trash, which could be blown into the air or strewn about by the wind, shall be prohibited.
- C. The ground area coverage of the exterior trash collection areas shall be the area contained inside the required screening.

- D. Exterior trash collection areas shall be located in rear or side yards only. Exterior trash collection areas shall not encroach into a front yard. The City Planner may grant a waiver to this requirement when, due to topographic conditions or lack of a side or rear yard, conformance with this requirement is impractical.
- E. All exterior trash collection areas and the materials contained therein shall be screened from view from the adjacent public right-of-way.
- F. The screening shall be a completely opaque fence, wall or other feature of a height between six and 10 feet measured from the ground level outside the line of the screen. Screens built on sloping grades shall be stepped so that their top line shall be horizontal. If a 10 foot high screen fails to shield the exterior trash collection area from view of the adjacent public right-of-way, evergreen plantings may be required in addition to the screening. Evergreen plant materials shall be selected and designed so that they will screen the area from the adjacent public right-of-way within five years.
- G. Exposed materials used to construct the opaque screen shall be similar in appearance to materials used for exterior building walls. All exterior entrances to a screened trash area shall be provided with a gate or door of similar design to that of the screen.

#### **13-4.10           Exterior Storage in Nonresidential Districts**

Screening for exterior storage is intended to buffer surrounding property from the negative visual impact created by the storage of raw or finished goods, materials and equipment that can adversely impact the value of adjacent property. Exterior storage areas shall conform to the following:

- A. Exterior storage of materials which could be blown into the air or strewn about by the wind shall be prohibited.
- B. Exterior storage, where allowed, shall be screened from view from the adjacent public right-of-way and abutting residential districts or uses to a minimum height of six feet.
- C. The screening height shall be measured from the ground level outside the line of the screening. Screens built on sloping grades shall be stepped so that their top line shall be horizontal.
- D. Exterior storage shall not encroach to a front yard.
- E. All exterior entrances to a screened storage area shall be provided with a gate or door of similar design to that of the screen.
- F. The City Planner may grant a waiver to allow screening to exceed the maximum height allowed when topography or height of individual finished products or equipment could make it impossible to completely screen a storage area from every vantage point. The City Planner may not grant waivers to the maximum screening height for raw materials or stacked goods.
- G. Long-term storage of products or materials in semi-trailers or shipping containers is permitted only in accordance with Title 14 Chapter 8 of the City Code, as amended.

#### **13-4.11           Installation, Maintenance, and Replacement of Landscaping and Screening**

- A. Plantings shall be installed prior to the issuance of a Certificate of Occupancy unless seasonal conditions exist that may reduce the survivability of the plantings, in which case the plantings shall be installed within six months of the issuance of a Certificate of Occupancy.
- B. Plantings shall be properly maintained in a healthy manner. Plantings that become diseased or die shall be replaced with similar plant materials. Replacement plantings shall be installed during the same or immediately following planting season.
- C. All required screening and fencing shall be maintained and, whenever necessary, replaced in accordance with the provisions of this Chapter.

### **13-5    Design Standards for Big Box Retail Uses**

As part of planned unit development review in accordance with **Section 5-24** for any retail commercial uses or regional shopping centers which have over 100,000 square feet of building area, the applicant shall submit building elevations for review by the City. Any structure existing at the time of adoption of this Code which is ex-

panded for retail commercial use to over 100,000 square feet of building area and which expansion constitutes an increase of 25 percent or more to the building area shall be subject to these Design Standards. In addition to the site design standards set forth herein, big box retail uses shall comply with the following standards:

- A. Definitions of Facades. For purposes of this section, the façades of a building shall be defined as follows:
  1. Façade. The portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.
  2. Front façade. The front or principal face of a building, containing the main entrance; any building face, which can be touched by a line drawn perpendicular to street (public or private).
  3. Side façade. The face of a building extending from the front façade to the rear façade of the building.
  4. Rear façade. The face of a building extending along the rear of the lot or site, containing employee and service entrances, loading docks, etc.
- B. Façade Design. The building facades shall be designed in a way that will reduce the massive scale and minimize a uniform and impersonal appearance of the building, and that will provide visual interest consistent with the community's identity, character, and scale.
  1. Façades of 100 feet or longer shall be broken up with projections or recessions not less than five feet in depth, and in sufficient number, to reduce the unbroken massing into lengths of 40 feet or less along all sides of the building. Projections from the facade can be used as an alternate approach.
  2. The front façade shall include windows, arcades, awnings, projecting canopies, covered walkways, porticos, or other acceptable features along at least 60 percent of the front façade length and over at least 25 percent of the front façade area.
  3. Except for entrances to the building, any part of the front façade higher than 11 feet shall give the visual exterior appearance of having more than one floor for each additional 11 feet in height, i.e., a 22 foot high building shall give the appearance of a two-story building.
  4. Arcades and other weather protection features shall be of sufficient depth and height to provide a light-filled and open space along the front façade. Architectural treatment, similar to that provided to the front façade, shall be provided to the side façades to mitigate any negative view from any location off-site and any public area (e.g. parking lots, walkways, etc.) on site.
  5. A landscape buffer of evergreens approved by the City Council shall be required along the property line to screen service areas and rear facades from the adjacent property.
- C. Detail features. The building shall include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall, front, and side, with color, texture change, wall offsets, reveals, or projecting ribs.
- D. Roofs. The roof design shall provide variations in rooflines, add interest to, and reduce the massive scale of, large buildings. Roofs shall include two or more roof planes. Parapet walls shall be architecturally treated to avoid a plain, monotonous look.
- E. Maximum Parking:
  1. The maximum number of off-street parking spaces allowed shall be equal to 125 percent of the required minimum number of spaces.
  2. Parking spaces in excess of the maximum number permitted may be allowed, provided:
    - i. Each parking space provided in excess of the maximum number allowed shall be paved with a permeable paving material approved by the City; or
    - ii. For each parking space provided in excess of the maximum number allowed, 300 square feet of additional on-site green space shall be provided and maintained with landscaping; or
    - iii. For each parking space provided in excess of the maximum number allowed, 300 square feet of green roof shall be provided and maintained. A green roof is herein defined as a roof of a building that is covered with vegetation and soil, or a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation sys-

tems. Unhealthy or dead vegetation shall be removed within seven days and replaced with suitable new plant materials at the earliest practical time, but not longer than nine months, based on the appropriate season.

- F. Materials and color. The building shall have exterior building materials and colors that are aesthetically pleasing and compatible with materials and colors that are used in adjoining neighborhoods. This includes the use of high-quality materials and colors that are low reflective, subtle, neutral, or earth tone. Certain types of colors shall be avoided such as fluorescent or metallic although brighter colors in limited quantities may be used on building trim and as accents at the discretion of the City Council. Construction materials such as tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar materials shall be avoided unless the exterior surface incorporates an acceptable architectural treatment. Not less than 75 percent of the front of the building and 50 percent of the sides of the building shall be brick or stone.
- G. Entryways. The building design shall provide design elements which clearly indicate to customers where the entrances are located and which add aesthetically pleasing character to buildings by providing highly-visible customer entrances.
- H. Amenities. The building site shall include at least one public gathering space, such as a patio seating area, pedestrian plaza with benches, outdoor play area, and not less than two public space amenities, such as kiosks, a water feature, a clock tower, or a landscaped site for public artwork. Pedestrian public space shall be shaded, landscaped, and screened. The size of the public gathering space shall not be less than one percent of the gross enclosed building area.
- I. Conflict; Stricter Standards Apply: Any conflict between these standards and the PUD Ordinance shall be resolved in favor of the stricter standard.
- J. In determining whether the plan complies with the above standards, the City Council may accept alternative or substitute features which have a comparable aesthetic and visual effect in light of the location and topography of a particular site.

### 13-6 Design Standards for Retail Commercial Uses and Regional Shopping Centers

In addition to the site design standards set forth herein, the following standards shall apply to retail commercial uses over 60,000 square feet of building area and to regional shopping centers:

- A. Sales and display areas. No area outside of the building other than the front facade may be used for the sales or display of merchandise unless a temporary use permit has been obtained from the City of Dubuque.
- B. Sidewalks, walkways, entrances and gathering areas. Sidewalks adjacent to the front facade shall be not less than 10 feet wide and shall connect by sidewalks not less than five feet wide to public sidewalks and adjoining retail buildings. Sidewalks shall be concrete or other approved hard surface; asphalt shall be prohibited. Walkways, entrances, and gathering areas shall have shade features other than landscaping, such as trellis structures, projecting canopies, covered arcades and porticos.
- C. Transit facilities. The building site shall include a bus and paratransit stop/transfer point at a location adjacent to the building approved by the City Manager. A shelter that is consistent in design and construction with the building shall be installed at the property owner's expense at the sole discretion of the City Manager. It shall be within the sole discretion of the City Manager whether it is used as a bus and paratransit stop and/or transfer point and at what time it shall be used. An easement or other arrangement acceptable to the City shall be granted for location, maintenance, and unrestricted use of said transit facilities by the City transit system. These facilities may be installed at any point in time at the sole discretion of the City Manager.
- D. Bicycle paths and parking. The building site shall include bicycle paths connected to the City's planned and existing bike trail system. Flexibility in the timing of construction of said bicycle paths may be allowed at the sole discretion of the City Manager. Unless the paths are exclusively for bicycle use, they shall be appropriately marked with painted lanes. The building site shall include sheltered bicycle areas with rack(s) for securing bicycles located near the entrance to the building.
- E. Maximum Parking:
  1. The maximum number of off-street parking spaces allowed shall be equal to 125 percent of the required minimum number of spaces.

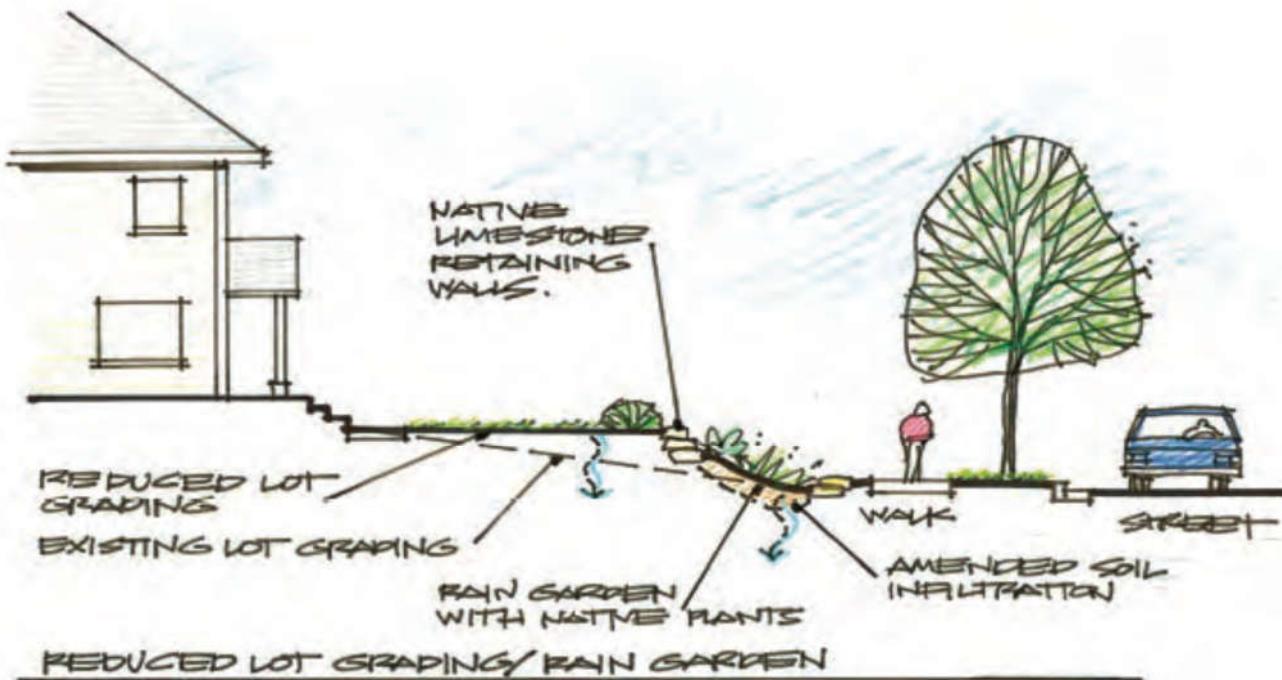
2. Parking spaces in excess of the maximum number permitted may be allowed, provided:
  - i. Each parking space provided in excess of the maximum number allowed shall be paved with a permeable paving material approved by the City, or
  - ii. For each parking space provided in excess of the maximum number allowed, 300 square feet of additional on-site green space shall be provided and maintained with landscaping.

### **13-7 Design Standards for Biofuels Production Facilities**

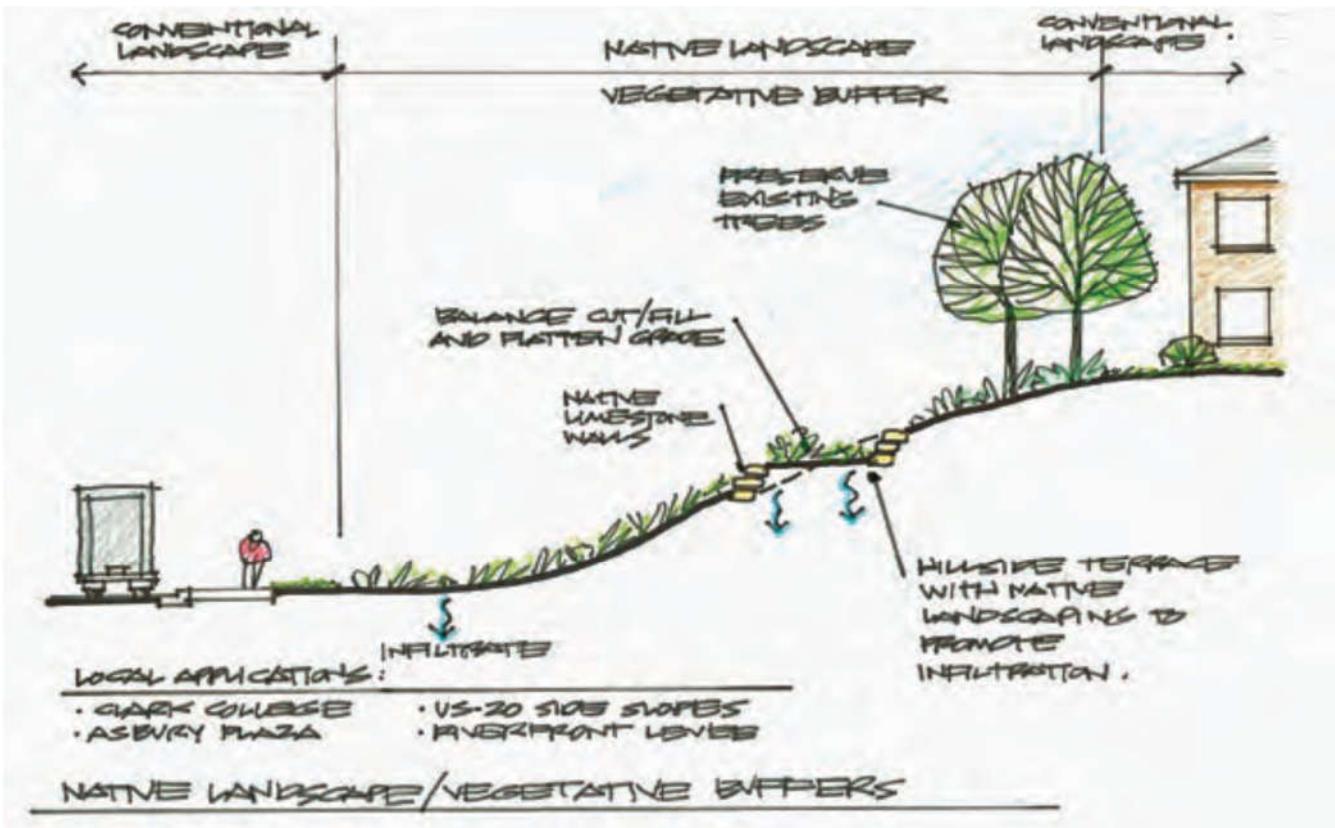
Prior to the commencement of construction of any biofuels (including, but not limited to, ethanol and biodiesel) production facility, the applicant shall submit plans for construction for review by the City Council. The applicant shall not commence any such construction unless the City Council determines that the plan complies with the following standards intended to protect the health, safety, and general welfare of the residents of Dubuque:

- A. A traffic impact analysis shall be provided by the applicant.
- B. Access to the facility shall be paved.
- C. The applicant shall provide documentation sufficient to demonstrate that the paving of public right-of-way between the facility and designated truck route(s) is sufficient to carry, without damage to the roadway, the weight, size and frequency of the loads of grain and liquid and any by-product entering or leaving the facility by truck.
- D. If the public right-of-way is not capable of carrying the weight, size and frequency of said loads, then the applicant may be required to make upgrades to the paving in order for the pavement to handle the weight, size and frequency of said loads.
- E. The applicant shall acquire sufficient right-of-way and construct all turning lanes and traffic signals necessary to handle the increase in truck traffic.
- F. The applicant shall attest in writing that the facility shall be operated and maintained in compliance with all applicable federal and state environmental standards and regulations.
- G. The applicant shall provide a dimensioned map that indicates the dispersal of steam, smoke, or other discharge from the facility based on the prevailing winds, and describe what air pollution control equipment will be provided. Biomass and natural gas-fired facilities are preferred to coal-fired facilities.
- H. The applicant shall provide a dimensioned site lighting plan indicating proposed illumination patterns and light levels on the facility site and in the environs surrounding the site. Illumination of parking and other on-site facilities shall be controlled by cut-off style luminaries that reduce off-site spillover of light. Illumination at the property line shall not exceed approximately one foot candle.
- I. All fuel storage tanks shall be located in a manner that will not allow for contamination of any groundwater or surface water.
- J. All fuel storage tanks shall be within an impermeable containment levee system, in a manner compliant with all federal, state, and local rules and regulations.

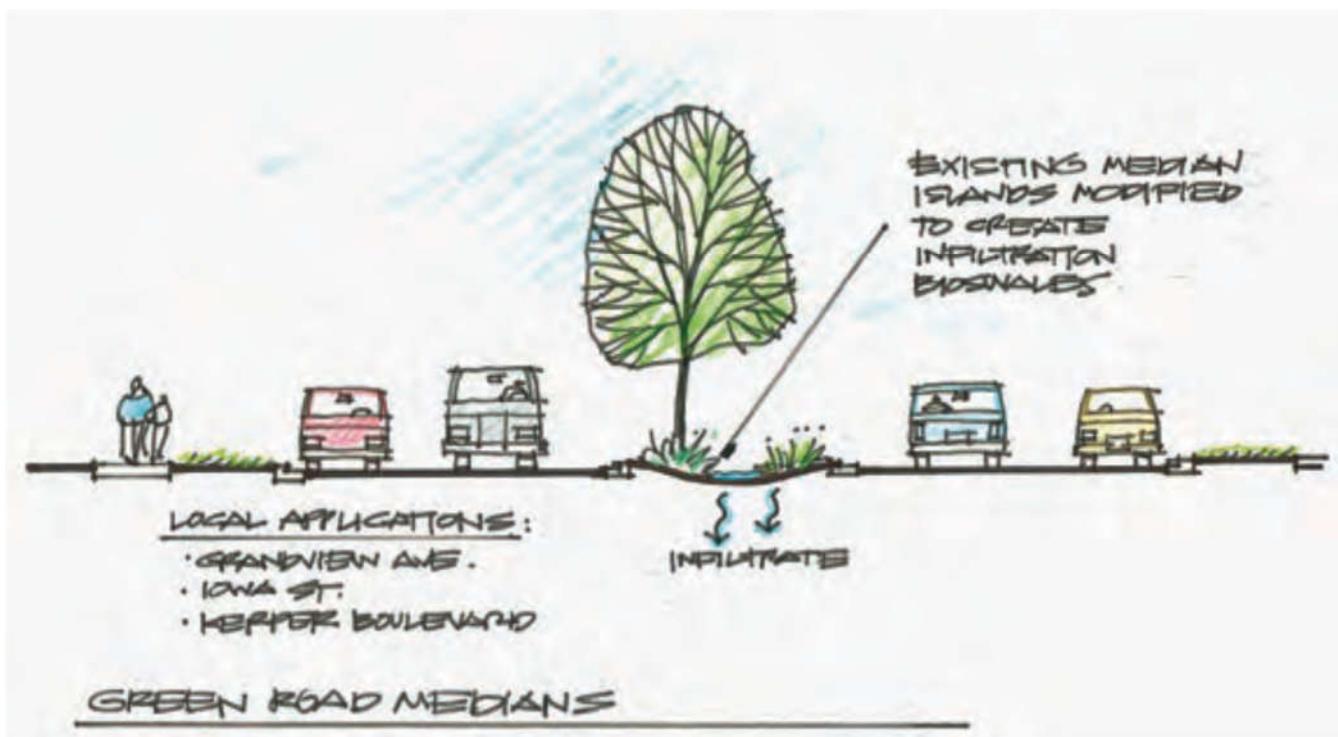
Reference Figure 13-3.4(A) and (L) Site Landscaping—Reduced Lot Grading/Rain Gardens



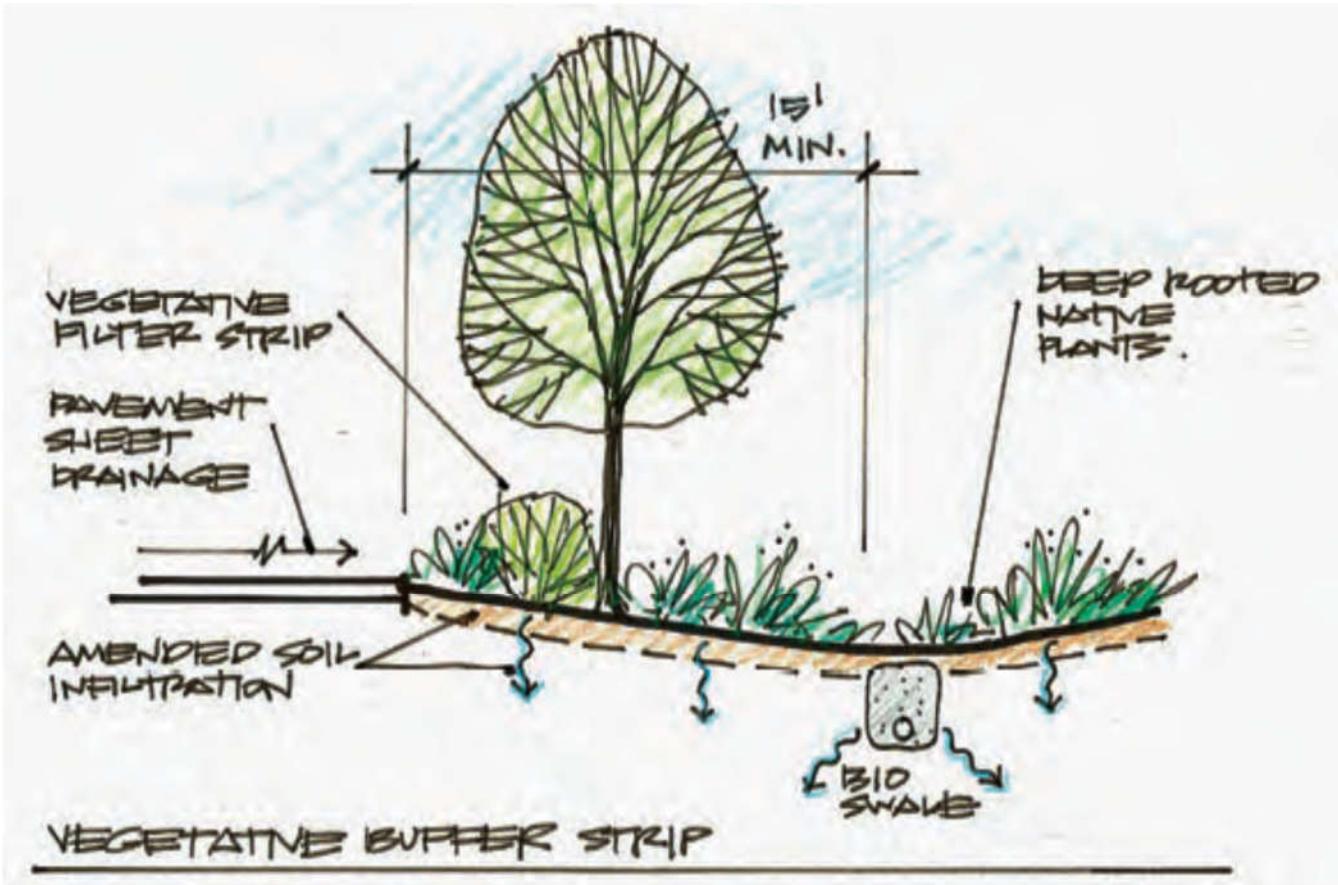
Reference Figure 13-3.4 (J) and (P) Site Landscaping-Native Plantings/Vegetative Buffers



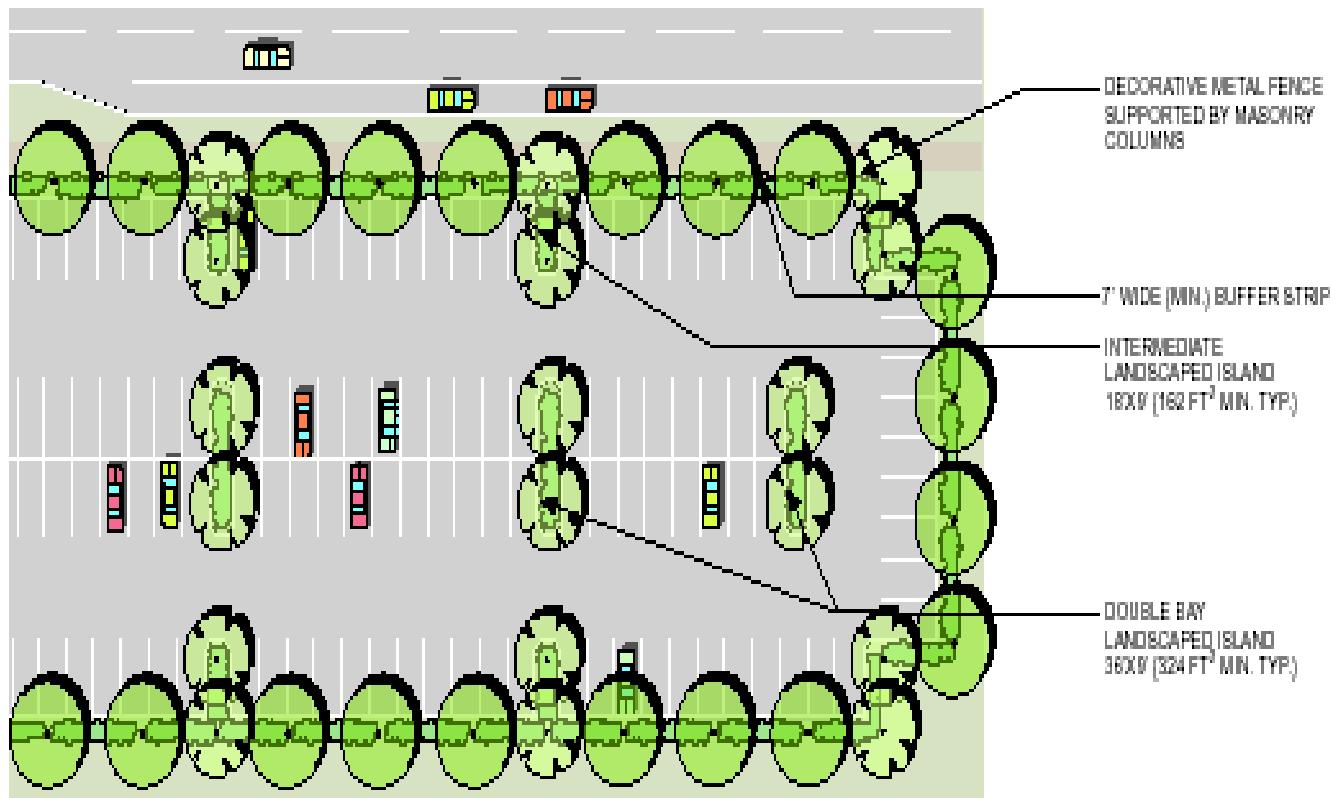
Reference Figure 13-3.4 Site Landscaping-Green Road Medians



Reference Figure 13-3.4(P) Site Landscaping-Vegetative Buffers



Reference Figure 13-4.6 Parking Lot Landscaping



*Example of adequate parking lot landscape layout.*

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## City of Dubuque Site Plan and Subdivision – Stormwater Facility Design Review Requirements

The City of Dubuque (CITY) reviews the design of all proposed stormwater management plans for proposed developments prior to the acceptance of the proposed site plan or proposed subdivision. The review is to ensure that steps are taken by the developer to limit adverse impacts to surrounding properties to the maximum extent practicable.

Depending on the size or site specific details, a stormwater management plan can vary from a drawing that illustrates where stormwater runoff will be directed to multiple drawings and engineering calculations illustrating the design of stormwater facilities such as storm sewers, channels, swales, and detention basins. For the later, it is the developer's responsibility to hire a Professional Engineer for the purpose of designing the elements of the stormwater drainage system. Specific design standards

The following is a list of guidelines and items that must be addressed and submitted by the developer's engineer (ENGINEER) before the CITY can review the proposed stormwater management plan.

1. Professional Documents: If public drainage facilities or a detention basin must be constructed as part of the development, calculations justifying the design must be submitted. Both drawings and engineering calculations must be signed by a Professional Engineer;
2. Inclusive Plans: Stormwater drainage facilities such as detention basin details (inlet structures, outlet structures, storage volumes, drain-tiles, side-slopes, basin floor slope, etc.) must be included in the improvement plans or site plan. Engineering calculations cannot be reviewed without the associated improvement plans or site plan;
3. Project Schedule: A schedule for implementation of the proposed storm water drainage facilities is required in the improvement plans or site plan;
4. Electronic Drawing: If produced, an AutoCAD® or like electronic document must accompany the hard copy of the improvement plans;
5. Supporting Documentation: Any materials utilized by the ENGINEER in the design of the proposed drainage system and/or detention basin, including documentation that influenced engineering judgment should be included with the calculations;

6. Site Location Drawing: A map showing the general location of the site, identifying all roads that border the site and significant geographic features and sensitive areas (creeks, streams, steep slopes, rock outcroppings, etc.) must be included with the stormwater management plan;
7. Drainage Basins, Sub-basins, and Site Characteristics: A drawing that illustrates both existing and proposed conditions such as total acreage of disturbed area, acreages of sub-basins, site characteristics, discharge points to and from the site, storm water drainage facilities, and the path or travel from the hydraulically most remote point for each sub-basin modeled in the drainage system calculations must be included with the stormwater management plan;
8. Erosion and Sediment Control Plan: Any development that removes the ground cover, grades, excavates, or fills an acre or more of area must apply to the Iowa Department of Natural Resources for a National Pollution Discharge Elimination System (NPDES) construction site permit. Unless an NPDES permit is issued and its terms and conditions are followed, the CITY must withhold all CITY permits.
  - a. Prior to the approval of improvement plans or a site plan and prior to the issuance of any CITY permit, the CITY requires a copy of the "Notice of Intent for NPDES Coverage Under General Permit" and a copy of the associated Storm Water Pollution Prevention Plan (SWPPP) for the proposed development signed by the owner and the contractor;
  - b. The "General Permit" requires inspection of disturbed areas, areas for material storage, vehicle entrance and exit locations, and all erosion and sediment controls identified in the SWPPP every 7 days and within 24 hours of the end of a storm of 0.5-inches or greater of rainfall.

**CITY OF DUBUQUE, IOWA**  
**DETENTION ANALYSIS CHECKLIST**

Project Name \_\_\_\_\_  
Project Location \_\_\_\_\_

*The purpose of this checklist is to expedite and facilitate the review process. This checklist gives the minimum requirements needed for the City's review. Because every site is unique, this list should not be considered exhaustive. All items shall be checked as included or marked N/A. The omission of items will delay and/or lengthen the City's review process.*

- \_\_\_\_\_ Table of Contents or other Submittal Organizational Documentation
- \_\_\_\_\_ Explanation of Analysis with Assumptions
- \_\_\_\_\_ Composite Drainage Area Map(s) – Pre-development
- \_\_\_\_\_ Composite Drainage Area Map(s) – Post-development
- \_\_\_\_\_ Time of Concentration (Tc) Supporting Calculations – Pre-development
- \_\_\_\_\_ Time of Concentration (Tc) Supporting Calculations – Post-development
- \_\_\_\_\_ Runoff Coefficient or CN Calculations, Justification, and Map – Pre-development
- \_\_\_\_\_ Runoff Coefficient or CN Calculations, Justification, and Map – Post-development
- \_\_\_\_\_ Hydrographs (2, 10 & 100-year flows) Pre-development
- \_\_\_\_\_ Hydrographs (2, 10 & 100-year flows) Mitigated – Post-development
- \_\_\_\_\_ Hydrographs (2, 10 & 100-year flows) By-passing or Unmitigated – Post-development
- \_\_\_\_\_ Detention Basin Volume Data (Elevation/Storage)
- \_\_\_\_\_ Detention Basin Grading Plan
- \_\_\_\_\_ Detention Basin Outlet Structure Data and Construction Details
- \_\_\_\_\_ Detention Basin Overflow Component
- \_\_\_\_\_ 100-year Analysis of Overflow with Developed Upstream Conditions
- \_\_\_\_\_ Detention Basin Routing Data (Stage, Storage, Peak Elevations, Peak Inflow and Outflow)
- \_\_\_\_\_ Combined Hydrographs (2, 10 & 100-year flows) Routed and Unmitigated
- \_\_\_\_\_ Velocity Dissipation Calculation at Point of Discharge
- \_\_\_\_\_ Digital Data on CD or by E-mail (Existing and Proposed Contours, Drainage Basins, Lot Lines, & Utilities)

I, the undersigned, acknowledge by signature that these documents were prepared under my supervision. I, the undersigned, further acknowledge that to the best of my knowledge and belief, the products resulting from these documents will result in a detention facility that will meet or exceed the city's requirements for the project identified above.

---

Engineer's Signature

Date

*Please use this checklist for all submittals. Although we feel this checklist is complete, we recognize there is room for improvement. Feedback is welcome.*

**PLEASE INCLUDE THIS FORM WITH ALL  
APPLICABLE PLANS & SUBMITTALS**

## Dubuque MS4 SWMP - SWPPP Review Form

Site Name:

Date Reviewed / Revised:

Check List (checked box indicates either accepted or not applicable)

Nature of Activity Noted in the Notes Section?	Control Locations / Details Shown?
Sequence of Grading Activity Noted?	Sediment Basin Required or Other Controls
Total / Disturbed Area Noted?	Able to Handle Sediment Loads?
Receiving Waters Noted?	Disturbed Area Rule Noted?
Existing Soil Data Provided?	Construction / Sanitation Waste Noted?
Runoff Coefficient Noted?	Off Site Tracking Noted?
Surface Waters Shown and Labeled if Shown?	Inspection / Maintenance Noted?
Proposed Contours Shown on Plan?	Signature / Certification Noted?
Grading Limits Shown and Labeled on Plan?	SWPPP Phased if Needed?
Discharge Point Shown and Labeled on Plan?	SWPPP Prepared by Qualified Individual?
Green Space Preservation Shown or Noted?	SWPPP Appears Adequate?
Top Soil Preservation Noted?	SWPPP Approved?
New Sewers Shown on the Plan?	

SWPPP Approval Date:

SWPPP Approval Signature:

Notes:



*Showing the Spirit.*

## **Stormwater Management Utility Fee Reduction Credit Application**

**City of Dubuque, IA**  
Winter 2003

# Stormwater Management Utility Fee Reduction Credit Application

## Introduction

The City of Dubuque established a Stormwater Management Utility on February 27, 2003, pursuant to Iowa Code § 384.84(1), with the passage of Ordinance No. 7-03. The utility provides the City with the authorization to establish and collect just and equitable rates, fees, and charges for the services and facilities provided by the utility system. The ordinance also declares that the utility is to provide benefits and services within the incorporated city limits, including the provision of adequate collection, conveyance, detention and treatment systems, a hazard reduction to property and life resulting from stormwater runoff and flooding, improvement in general health and welfare through the reduction of undesirable stormwater conditions and flooding, and improvements to stormwater, surface water and receiving water quality.

No additional City staff personnel have been added to implement or manage the Stormwater Management Utility. Therefore, City staff intends to keep the credit application process as simple as possible, employing principles of equity and reason. The credit policies have been developed to strike a delicate balance between simplicity, effectiveness, and equity.

A stormwater credit is a reduction in a portion of a customer's Stormwater Utility Fee. To be eligible for a credit, the customer must demonstrate that an existing or proposed stormwater facility or a customer's action reduces the City's stormwater program needs funded by the user fee. Credit eligibility is determined on a case-by-case basis. Credits will not be allowed for any properties that do not pay a stormwater fee.

Typically, residential customers do not have the necessary land or resources to implement, operate or maintain meaningful or quantifiable stormwater management facilities. Moreover, the City does not have the means to regulate or oversee individual residents to ensure that the credit is valid. For example: while the City could issue a credit for the use of a rain barrel, the City would be unable to verify that a rain barrel is installed properly or that it is emptied after each rainstorm. Therefore, only nonresidential customers are eligible for credits.

## Available Credits

Credits are divided into four types: facility and activity credits, direct discharge credit, private detention basin credits, and a private NPDES credit. Table 1 is a summary of stormwater fee credits. Table 2 outlines the documentation required to apply for a specific credit. The maximum credit per account is limited to 50% of total billing units.

Table 1. Summary of Available Stormwater Fee Credits

Credit Description		Maximum Available Credit
<b>Facility and Activity Credits</b>		
<b>Operation &amp; Maintenance</b>		
Catch Basins	Generally, the maintenance of a catch basin requires annual inspection and sediment removal. Cleaning requires a vacuum truck and/or climbing into the catch basin.	10%
Storm Sewer	Maintenance of the storm sewer system consists of inspection, cleaning, and general repairs. If a customer inspects, cleans and repairs a public storm sewer on private property, the customer may be eligible for a Storm Sewer credit.	21%
Manholes	The maintenance of manholes involves biannual inspection and cleaning and repairs as needed. If a customer inspects, cleans and repairs a public storm manhole on private property, the customer may be eligible for a Manhole credit.	3%
Culverts/ Bridges	Culverts and bridges provide conveyance for stormwater under roads and other structures. If a customer has the expertise to inspect, clean, or repair a culvert or bridge the customer may be eligible for a Culverts/Bridges credit.	1%
Creeks/ Streams	If a customer has the capability to remove sediment and debris from a creek or stream the customer may be eligible for a Creeks/ Streams credit.	1%
<b>Capital Improvement Program</b>		
Future Projects (Debt Relief)	Capital improvement projects are projects built to improve the infrastructure or performance of the City's Stormwater Management System. Under rare circumstances a customer may be eligible for a CIP credit.	26%
<b>NPDES</b>		
Public Education & Outreach	The City will consider the maximum credit for public education and outreach and public involvement and participation tasks. Activities considered must be applicable to the program outlined in the City's NPDES Phase II permit.	4%
Public Involvement & Participation		4%
<b>Direct Discharge Credit</b>		
A direct discharge credit may be available for the portion of a property's impervious area that is contiguous to (or contains) and discharges stormwater directly into, the Mississippi River, Catfish Creek, South Fork Catfish Creek, or Middle Fork Catfish Creek.		20%
<b>Private Detention Basin Credit</b>		
Peak Flow Preservation	Credit may be available if the peak flow of runoff during 2, 10, and 100-year rains after development does not exceed the peak flow of runoff that occurred prior to development.	10%
Peak Flow Reduction	Credit may be available if a detention basin is shown to reduce the pre-development peak flow of runoff from the site by at least twenty percent during 2, 10, and 100-year rains following development.	12%
<b>Private NPDES Credit</b>		
An NPDES credit may be available is available for a customer who maintains an NPDES General Permit No. 1 or General Permit No. 2 for stormwater discharge associated with an industrial activity.		10%

**NOTE:** The maximum credit per account is limited to **50%** of the total billing units.

## Facility and Activity Credits

The City's Stormwater Management System is funded through various sources, including the Dubuque Racing Association distribution, the general fund, bonds, fees, and the Stormwater User Fee. The City allocates money from each source to activities or facilities associated with stormwater management. Customers are only allowed facility and activity credits for facilities or activities that are associated with the City's services funded by the stormwater user fee. See Table 1 for a list of the potential facility and activity credits.

### Direct Discharge Credit

A direct discharge credit may be available for the portion of a property's impervious area that is contiguous to (or contains) and discharges stormwater directly into, the Mississippi River, Catfish Creek, South Fork Catfish Creek, or Middle Fork Catfish Creek. Runoff that passes through a public or private drainage facility such as a detention basin, ditch, or drainage way prior to discharging into one of the receiving waters identified above is not considered direct discharge.

### Private Detention Basin Credit

A private detention basin credit may be available to a customer that maintains a private detention (or retention) basin that reduces the impact of the stormwater drainage on downstream properties. There are two concurrent credits available: peak preservation credit and peak reduction credit.

The peak flow preservation credit may be available if the peak flow of runoff during 2, 10, and 100-year rains following development does not exceed the peak flow of runoff that occurred prior to development.

The peak flow reduction credit may be available if the runoff during 2, 10, and 100-year rains following development is twenty percent lower than the peak flow of runoff that occurred prior to development. A 4% credit is available for a twenty percent reduction in peak flows for each of the three rain events.

In order for stormwater detention facilities to operate as designed, maintenance must be performed on a routine basis. Improperly maintained facilities fail to provide the intended stormwater management benefit. The minimum maintenance requirements for detention facilities are as follows:

- 1) The owner must make periodic inspections and fill out an inspection report, noting the condition of the facility;
- 2) The owner must remove sediment when approximately 20% of the storage volume is filled;
- 3) The owner must remove sediment or debris whenever it can potentially block the outlet structure;
- 4) The owner must keep the outlet control structure structurally sound, free from erosion, and functioning as designed; and

- 5) The owner must maintain the facility so that there is NO STANDING WATER.

If a random City inspection finds that the detention basin does not operate as outlined in the credit application, the City will send a letter informing the customer of the required action to avoid revocation of the credit. If the property owner fails to take the required action, the credits will be revoked. The credit may be restored when the detention basin functions properly.

## **Private NPDES Credit**

Certain private industrial operations are required to obtain an NPDES permit from the Iowa Department of Natural Resources. The permit requires the industrial operation to implement measures to manage stormwater runoff to minimize the pollutants associated with the stormwater runoff that leaves the property.

## **Credit Application Process**

The City of Dubuque Engineering Division will accept applications from customers for credits. Applications are available in the Office of the Engineering Division at City Hall. In most cases, engineering calculations are required to support credits. A registered professional engineer may be required to prepare some of the supporting application documents.

To apply for a credit, the customer must submit a completed STORMWATER MANAGEMENT UTILITY FORM NO. 6: APPLICATION FOR USER FEE CREDIT, along with the required documentation and application review fee, to the address below:

City of Dubuque, Engineering Division  
Attention: Deron Muehring  
50 W. 13<sup>th</sup> Street  
Dubuque, IA 52001  
Phone: (563) 589-4270

The Public Works Director will review the credit application. Upon approval of a stormwater credit, the credit will be given at the next billing. A credit may be retroactive to the beginning of the City's current Fiscal Year if it can be shown to the satisfaction of the Public Works Director that the justification for the credit was in place at that time.

## **Annual Credit Re-Application Process**

To ensure that a credit remains justified, a credit application will only remain valid for one year. Customers must re-apply for the credit using UTILITY FORM NO. 6-R: RE-APPLICATION FOR USER FEE CREDIT. At this time, there is no credit re-application fee.

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

Reference: City of Dubuque CMOM

Ordinance No: 42-14

Prepared by:



**CITY OF DUBUQUE**  
50 W 13<sup>th</sup> Street  
Dubuque, IA 52001

2014 Edition v.1

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# 1.0 Purpose

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This program sets forth the uniform requirements for Users of the City of Dubuque's POTW to capture and dispose of fats, oils, and greases (FOG) in accordance with Ordinance No.42-14 and enables the City to comply with all applicable state and federal laws, including the Clean Water Act, 33 U.S.C., § 1251, *et seq.*; and the General Pretreatment Regulations, Title 40 C.F.R. Part 403. No Food Establishment may intentionally or unintentionally allow the direct or indirect discharge of any fats, oils, or greases of animal or vegetable origin into the POTW system in such amounts as to cause interference with the collection and treatment system, cause pollutants to pass through the treatment works into the environment, or cause a violation of the General Discharge Prohibitions listed in Section 13-2D-4.

## 1.1 REQUIREMENTS

This program seeks to meet that purpose instituting the following requirements:

- Ordinance No.42-14 states the City Manager shall develop, with the approval of the City Council, a written fats, oils and grease (FOG) program. The program shall govern a Food Establishment's FOG reduction and controlling methods including the installation, maintenance, repair, and replacement of FOG controlling devices. Food Establishments discharging waste to the POTW shall meet Title 13, Chapter 2, Article D (6) Specific Pollutant Limitations.
- Food Establishments shall control FOG discharge through installation of FOG control devices (International Plumbing Code, Chapter 10) and through the use of Best Management Practices (BMPs).

## 1.2 PROGRAM IMPLEMENTATION

For Food Establishments, in operation prior to the adoption of Ordinance 42-14, the City shall implement the FOG program requirements in three (3) phases based on the following Establishment criteria:

- Health Services Department menu designation (High, Medium, and Low Risk)
- The City's documentation showing Sanitary Sewer Overflows downstream of a Food Establishment (FE)
- Historic violations of the FOG program and its ordinance
- The FE's FOG Operation and Maintenance Management Plan

The implementation schedule is as follows:

Phase 1: High Risk Establishments

- Notification of High Risk Designation on or about July 31, 2014
- Permit Application and Fee Due No Later than December 31, 2014
- FOG Maintenance and Management Plan due no later than 30 days following Permit issuance.

Phase 2: Medium Risk Establishments

- Notification of Medium Risk Designation on or about July 31, 2014
- Permit Application and Fee Due No Later than June 30, 2015
- FOG Maintenance and Management Plan due no later than 30 days following Permit issuance.

Phase 3: Low Risk Establishments

- Notification of Low Risk Designation on or about July 31, 2014
- Permit Application and Fee Due No Later than December 31, 2015
- FOG Maintenance and Management Plan due no later than 30 days following Permit issuance.

## **2.0 Applicability and Exemptions**

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### **2.1 APPLICABILITY**

All non-domestic Users of the Publicly Owned Treatment Works (POTW), as defined in Section 4 of this Program and as similarly defined in 13-2D-2 are subject to the requirements of this program.

All Food Establishments discharging FOG-laden wastewater in excess of the limits set forth in 13-2D-6 are subject to the requirements of this program.

Both new and existing facilities that generate fats, oils, or greases as a result of food manufacturing, processing, preparation, or food service shall be subject to these requirements. Further those establishments engaged in the activity of preparing, serving, or otherwise making food available for consumption by the public, which use one or more of the following preparation methods: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, infrared heating, searing, barbecuing, and any other method of food preparation that produces or may produce hot, non-drinkable food product in or on a receptacle that requires washing shall install, use, and maintain appropriate grease interceptors as required in 14-1H-2 International Plumbing Code Amendments and shall be designed and sized in accordance with Section 6 of this Program. These facilities include but are not limited to restaurants, food manufacturers, food processors, commercial kitchens, hospitals, schools, hotels and motels, bakeries, caterers, schools, religious institutions, correctional facilities, prisons, nursing homes, care facilities, and other facilities that may prepare, serve, or otherwise make any foodstuff available for consumption.

### **2.2 EXEMPTIONS**

Facilities that only reheat or assemble ready to eat food products until such time as they meet the requirements of this program. Change of use shall prompt compliance with this program and its ordinance.

Private living quarters (such as single-family homes and single dwelling units in multiplexes, condominiums or apartment complexes, etc.). Change of use meeting uses defined in Section 2.1 shall prompt compliance with this program and its ordinance.

There are no further exemptions to this program, other than those stated herein.

## 3.0 Legal Requirements

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### 3.1 LEGAL REQUIREMENTS

Act/Regulation	Summary of Requirements	Penalty/Fine
Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.	The objective of this Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's Waters - Federal Water Pollution Control Act	Fine, Imprisonment, or Both per 33 U.S.Code 1319 - Enforcement
Title 13, Chapter 2, Article D (3) of the City of Dubuque Code of Ordinances	The code provides the approved definitions of FOG and POTW.	Title 1, Chapter 4, B. Penalties of the City of Dubuque Code of Ordinances.
Civil Action No. 2:11-cv-01011 EJM	City of Dubuque entered into a consent decree on Civil Action No. 2:11-cv-01011 EJM, with the Environmental Protection Agency (EPA) on June 27, 2011. Pursuant to Section V, Part 13 of the Consent Decree, the City shall establish a Collection system Management, Operation and Maintenance (CMOM) program which provides for a Fats, Oils, and Grease (FOG) management program.	

## 4.0 Definitions

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**Act:** Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.

**Best management practices (BMPs):** Methods or techniques found to be the most effective in achieving an objective such as preventing or minimizing pollution. For this program, BMPs refer to methods and techniques used by Food Establishments and food manufacturers/processors and other facilities that may have an impact on the sewer system by the deposition of FOG, to prevent or minimize the deposition of fats, oils, and grease from cooking, baking, processing, manufacturing, and other processes in private sewer laterals and public sewer lines, structures, and wastewater treatment facilities. An example of a BMP is scraping or dry-wipe excess food and solidified grease from pots, pans, fryers, utensils, screens and mats, then disposing of it in the trash.

**BOD:** The value of the 5-day test for Biochemical Oxygen Demand, per Title 40 CFR 136.

**CITY:** The City of Dubuque, including the publicly owned treatment works (POTW) owned by the City of Dubuque, as defined by section 502(4) of the Clean Water Act. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes, and other conveyances that convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such treatment works. For purposes of this program, the terms "sanitary sewer system" and "POTW" may be used interchangeably

**EVENT:** A planned public or social occasion where a wide range of food preparation activities including, but not limited to the following can generate fats, oils and grease: cooking by frying, baking, grilling, sautéing, rotisserie cooking, broiling, boiling, blanching, roasting, toasting, poaching, infrared heating, searing, barbequing or other food preparation activity that produces a food product in or on receptacles that require washing and or cleaning. Each separate meal will be considered an individual event. For example, breakfast = 1 event, lunch = 1 event, supper = 1 event.

**EPA:** The United States Environmental Protection Agency.

**Fats, oils, and greases (FOG):** Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as "grease" or "greases." A wide range of food preparation activities including, but not limited to the following can generate fats, oils and grease: cooking by frying,

baking, grilling, sautéing, rotisserie cooking, broiling, boiling, blanching, roasting, toasting, poaching, infrared heating, searing, barbequing or other food preparation activity that produces a food product in or on receptacles that require washing and or cleaning. All are sometimes referred to herein as “grease”, “greases”, or “FOG”.

**Food Establishment (FE):** A place where food is prepared and intended for individual portion service, whether consumption occurs on or off the premises. These facilities include, but are not limited to, restaurants, food manufacturers, food processors, commercial kitchens, hospitals, schools, hotels and motels, bakeries, caterers, schools, religious institutions, correctional facilities, prisons, nursing homes, care facilities, and any other facility preparing, serving or otherwise making any foodstuff available for consumption.

**Grease interceptor:** An appurtenance or appliance that is installed in a sanitary drainage system to intercept non- petroleum fats, oils and grease (FOG) from a wastewater. There are two types of Grease interceptors, Gravity Grease Interceptors and Hydro-mechanical Grease Interceptors (passive and automatic)

**Gravity Grease Interceptor:** Plumbing appurtenances of not less than 500 gallons capacity that are installed in the sanitary drainage system to intercept free-floating fats, oils and grease from wastewater discharge. Separation is accomplished by gravity during a retention time of not less than 30 minutes. Gravity Grease Interceptors shall be installed outside for ease of inspection and grease hauling.

**Hydro-mechanical Grease Interceptor:** A passive plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept non-petroleum fats, oils, and grease (FOG) from a wastewater discharge and is identified by flow rate, and separation and retention efficiency. The design incorporates air entrainment, hydro mechanical separation, interior baffling, and/or barriers in combination or separately, and an External flow control, with air intake (vent). Product must be approved the City of Dubuque’s Building Department. City approved devices as per the Plumbing Drainage Institute.

**Grease Removal Device (GRD):** a type of hydro-mechanical grease interceptor (HGI) that treats kitchen wastewater from Food Establishments (FEs) and are equipped with **automatic** grease removal features. They are typically installed indoors and connected to one to four sinks in the kitchen. They accumulate fats, oil and grease (FOG) in a relatively small separator tank. The accumulated FOG is automatically removed from the GRD and transferred to a separate FOG waste container. Product must be approved the City of Dubuque’s Building Department. City approved devices as per the Plumbing Drainage Institute.

**Grease Waste:** Material collected in and from a grease interceptor in the sanitary sewer service line of a commercial, institutional, or industrial food service or processing establishment, including the solids resulting from de-watering processes.

**FOG Disposal System:** A grease interceptor that reduces non-petroleum fats, oils, and grease (FOG) in effluent by separation, mass, and volume reduction.

**Indirect Discharge or Discharge:** The introduction of pollutants into a POTW from any non-domestic source.

**Interference:** A discharge which alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal, or is a cause of a violation of the City's NPDES permit.

**pH:** The measure of the relative acidity or alkalinity of water and is defined as the negative logarithm (base 10) of the hydrogen ion concentration.

**POTW or Publicly Owned Treatment Works:** A treatment works which is owned by a municipality as defined by section 503(4) of the Clean Water Act. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes, and other conveyances that convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such treatment works. For purposes of this program, the terms "sanitary sewer system" and "POTW" may be used interchangeably.

**Waste Hauler:** Means a person who is registered with and authorized by the City to transport sewage sludge, water treatment sludge, domestic septage, chemical toilet waste, grit trap waste, grease interceptor/trap waste or any other waste produced by an industrial user in accordance with current federal, state, and local regulations. For a waste hauler that intends to pick up grease waste from any food establishment, the owner of the waste hauling business and *all drivers/operators* shall satisfactorily complete a training course on grease interceptor cleaning offered by the City.

**TSS:** The value of the test for Total Suspended Solids, per Title 40 CFR 136

**User:** Any person, including those located outside the jurisdictional limits of the city, who contributes, causes or permits the contribution or discharge of wastewater into the POTW, including persons who contribute such wastewater from mobile sources.

## 5.0 Compliance and Compliance Schedule Requirements

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### 5.1 COMPLIANCE

#### ***5.1.1 FOG Operation and Maintenance Management Plan***

FE's are required to submit a FOG Operation and Maintenance Management Plan to the City of Dubuque's Building Department, Planning Department, and the POTW's Pretreatment Coordinator. Upon approval of the plan, the FE shall then be provided with approved grease hauler information, educational materials, FOG program documentation requirements, and inspection frequency schedule. The FE shall be monitored by the City.

Minimum submittal requirements of the FOG Operation and Maintenance Management Plan are as follows:

- Contact information
- Type and Category of FE
- Operation of the FE
- Proposed BMPs and FOG control devices.
- Facility Layout
- Authorized Signature(s)

The City shall provide forms to complete the FOG Operation & Maintenance Management Plan.

FE's shall submit the manufacturer's drawings of the existing/proposed interceptor.

FE's are required to submit a kitchen or food preparation layout plan and scaled drawings. Existing FE's not undergoing remodel or menu changes shall submit a kitchen layout based on the best information known. For new, renovated, or change of ownership or transfer the FE shall submit a layout plan prepared by qualified professional.

Qualified professionals include:

- Licensed Professional Engineers, including State of Iowa Licensed Professional Engineers for Site Design,
- State of Iowa licensed/master plumbers,
- State of Iowa licensed Architects.

Should no further instruction be provided, plans shall be prepared in compliance with the Iowa Statewide Urban Design and Specifications (SUDAS) program and the City of Dubuque's Supplemental Specifications.

#### ***5.1.2 Prohibited Practices***

No person shall introduce, or cause, permit, or suffer the introduction of any surfactant, solvent or emulsifier into a grease interceptor. Surfactants, solvents, and emulsifiers are materials which allow the grease to pass from the grease interceptor into the collection system, and include but are not limited to enzymes, soap, diesel, kerosene, and other solvents.

No dishwashers, food grinders, or sanitary waste pipe lines shall be plumbed to the grease interceptor.

#### ***5.1.3 Monitoring***

The City has the right to enter the premises of any FE or potential FE to determine whether the FE is complying with all requirements of this program, pursuant to 13-2D-11. FE's must allow the City ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties. Frequency of inspection, beyond the initial phase in of the program, shall be determined upon the following:

- Health Services Department menu designation (High, Medium, and Low)
- The City's documentation showing Sanitary Sewer Overflows downstream of a Food Establishment (FE)
- Historic violations of the FOG program and its ordinance
- The FE's FOG Operation and Maintenance Management Plan

If the City has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate cause to believe that there may be a violation of this program, the City may seek issuance of an administrative search warrant. If the City has reason to suspect that public health and well-being may be endangered by the FE's refusal of admittance, the City may seek to bar the public from the premises until access has been granted and compliance with the program and its ordinance is confirmed.

### **5.2 COMPLIANCE SCHEDULE**

Failure to meet the full requirements and schedule of this program shall be considered a Municipal Infraction under Title1, Chapter 4 of the City of Dubuque's ordinances.

### **5.2.1 New or Renovated Facilities**

Food processing or Food Establishments (FE) which are newly proposed or constructed, or existing facilities which will be expanded or renovated to include a food service facility, or where such facility did not previously exist, shall be required to design, install, operate and maintain a grease interceptor in accordance with locally adopted plumbing codes and applicable ordinances. New FEs must submit a FOG operation and maintenance management plan at the time of building/development review. The FOG operation and maintenance management plan shall follow the requirement in Section 5 of this program. All grease lines must pass through the grease interceptor. The plan shall be reviewed for compliance by the Building Department, Health Services, and as necessary, the Engineering Department. The FE shall submit a Discharge Permit Application and Fee. A plumbing permit will not be granted until the FOG operation and maintenance management plan, application permit and fee are approved by all necessary departments. Grease interceptors shall be installed and inspected by the City prior to issuance of a Certificate of Occupancy.

### **5.2.2 Change or Transfer of Ownership**

Prior to issuance of a Food License, or Certificate of Occupancy the new owner shall contact the City's Building Department and Health Services Department. The new owner must submit their FOG operation and maintenance management plan with their Food License application. Should the property not meet the criteria of this program and/or its ordinance(s) the FE user must design, install, operate and maintain a grease interceptor in accordance with locally adopted plumbing codes and applicable ordinances. The FOG operation and maintenance management plan shall follow the requirement in Section 5 of this program. All grease lines must pass through the grease interceptor. The plan shall be reviewed for compliance by the Building Department, Health Services, and as necessary, the Engineering Department. The FE shall submit a Discharge Permit Application and Fee. A Food License permit will not be granted until the FOG operation and maintenance management plan, application permit and fee are approved by all necessary departments.

### **5.2.3 Existing Facilities**

Existing FE's shall be subject to the Implementation Schedule identified in Section 1 of this program and its associated ordinance as adopted by the City Council. Existing grease interceptors must be operated and maintained in accordance with the manufacturer's recommendations and in accordance this program and be documented as such in the FOG operation and maintenance management plan. Should an existing grease interceptor not meet the requirements stipulated in this program or the City's applicable ordinances, the applicant must upgrade, supplement, or replace the existing interceptor within the compliance timeframe shown in the implementation schedule. The new interceptor design shall be subject to review procedures stated in 5.1.1 of this

section. For the user of an **Existing FE without a grease interceptor**, the user must design, install, operate and maintain a grease interceptor in accordance with locally adopted plumbing codes and applicable ordinances within the compliance timeframe shown in the implementation schedule. The existing FE must submit a FOG operation and maintenance management plan including detailed drawings showing full plumbing layout with separation of grease lines from domestic waste lines. All grease lines must pass through the grease interceptor. The plan shall be reviewed for compliance by the Building Department, Health Services, and as necessary, the Engineering Department. The FE shall submit a Discharge Permit Application and Fee. Failure to comply with this program and its ordinance(s), the FE will be subject to 1-4-2 Civil Penalties.

## **6.0 Grease Interceptor: Design, Sizing, and Installation Requirements**

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### **6.1 DESIGN AND SIZING REQUIREMENTS**

Applicable Design and Performance Standards, Latest Editions of:

- ASTM C1613: Standard Specification for Precast Concrete Grease Interceptor Tanks
- ASTM F2649: Standard Specification for Corrugated High Density Polyethylene (HDPE) Grease Interceptor Tanks
- ASME A112.14.3: Grease Interceptors
- ASME A112.14.4: Grease Removal Devices
- ASME A112.14.6: FOG (Fats, Oils, and Greases) Disposal Systems
- IAPMO/ANSI Z1001: Prefabricated Gravity Grease Interceptors
- UPC Chapter 10: Traps/Interceptors and Separators
- PDI G101: Testing and Rating Procedure for Grease Interceptors with Appendix of Sizing and Installation Data.

Grease interceptor capacity calculations shall be performed by each FE User and/or Generator based on size and type of operation according to the formulas contained in the sizing guidelines in the most current edition of the UPC. To ensure the correct size is determined, design considerations shall extend to surge flow design and minimization of sulfides. The minimum wet volume of any one unit shall be 500 gallons and the maximum wet volume of any one unit shall be 10,000 gallons.. Stamped and sealed calculations performed by a qualified professional, must be submitted to the City of Dubuque's Building Department along with the 3<sup>rd</sup> -party shop drawings of the proposed interceptor, for review and approval prior to issuance of a plumbing permit or food license permit, as applicable. Example calculation sheet shall be available from the City upon request.

Hydro-mechanical and Gravity Grease interceptors shall be equipped with devices to control the rate of water flow so that the water flow does not exceed the rated flow. The flow-control device shall be vented and terminate not less than 6 inches (152mm) above the flood rim level or be installed in accordance with the manufacturer's instructions.

Hydro-mechanical Grease Interceptors including GRDs, where permitted by the City, must be designed to meet this section.

### **6.1. BIOREMEDIATION**

Bioremediation media shall only be used with approved FOG Disposal Systems. FE's must submit request to utilize bioremediation media, and receive written permission

from the POTW before implementation of bioremediation media. The request must demonstrate that the FE has an appropriate FOG system in place, in accordance with ASME A112.14.4 and shall be subject to appropriate testing as necessary.

All tests to determine TSS, BOD, COD, pH, and other pollutant levels shall meet the testing requirements in accordance with Title 40 CFR, Part 136. Testing shall be open to inspection by the POTW.

## **6.2 INSTALLATION REQUIREMENTS**

**Interceptor Location:** a grease interceptor shall be installed on a separate building sewer line servicing only kitchen or food manufacturing/processing flows and shall be connected only to those fixtures or drains which would allow FOG to be discharged. This includes, but is not limited to:

- Pot sinks;
- Pre-rinse sinks;
- Any sink into which FOG are likely to be introduced;
- Clean-in-place cooking equipment;
- Wok stations;
- Floor drains or sinks into which kettles may be drained;
- Automatic hood wash units;
- Any other fixtures or drains likely to allow FOG to be discharged.

Gravity grease interceptors are intended for below-ground installation and shall be located outside of the building, preferably close to the kitchen or production/processing area where FOG may be discharged. They shall be easily accessible for servicing and inspection including access by a pumper truck, at all times. Parking, other than for emergency vehicles, shall not be allowed over any of the access manholes.

Grease removal devices (automatic hydro mechanical interceptors), as permitted, shall be located downstream of each fixture or multiple fixtures in accordance with the manufacturer's instructions. The GRD shall be sized to pretreat the measured or calculated flows for all connected fixtures or equipment. Ready access shall be provided for inspection and maintenance at all times.

## **7.0 Cleaning and Maintenance Requirements**

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### **7.1 GENERALLY**

Grease interceptors shall be maintained in an efficient operating condition at all times, in accordance with the manufacturer's recommendations.

All grease interceptor waste shall be properly disposed of at an approved facility in accordance with federal, state, and local regulation. The FE and waste hauler shall submit to the City on its hauling manifest the final destination of the disposed waste.

Each grease interceptor when cleaned shall be fully evacuated (pumped) and secured (lids placed correctly to prevent storm water entry) following the evacuation; and shall be subject to City inspection.

Grease interceptors shall be evacuated by waste haulers certified by the City, unless Self-Cleaning approval has been sought by the FE and approved by the POTW. A certified waste hauler list shall be provided by the City.

### **7.1 HYDRO-MECHANICAL GREASE INTERCEPTORS ONLY, WITH SELF-CLEANING AUTHORIZATION**

Self-cleaning User and/or Generators must receive approval from the POTW to remove grease from their own grease hydro-mechanical grease interceptors.

The following conditions shall apply:

- The grease interceptor is no more than 100 GPM size
- Proper on-site material disposal methods are implemented (e.g. absorb liquid into solid form and dispose into trash);
- Grease waste is placed in a leak proof, sealable container(s) located on the premises and in an area for the hauler to pump-out; and
- Detailed records are maintained and submitted to the City, per the approved manifests as available from the City.

Self-cleaning FE's must submit a completed FOG Operation and Maintenance Management Plan.

Self-cleaners must adhere to all the requirements; procedures and detailed record keeping outlined in their approved FOG Operation and Maintenance Management Plan, to ensure compliance with this program and its ordinance.

Violations incurred by Self-cleaners will be subject to enforcement action including fines and/or removal from the self-cleaner program.

## **7.2 CLEANING SCHEDULES**

Grease interceptors shall be cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the grease interceptor as designed and approved; to ensure the discharge is in compliance with local discharge limits; and to ensure no visible grease is observed in discharge.

The cleaning schedule must be recorded in the FE's completed FOG Operation and Maintenance Management Plan.

Grease interceptors shall be completely evacuated a minimum of every thirty (30) days, or more frequently when:

- twenty-five (25) percent or more of the wetted height of the grease trap or grease interceptor, as measured from the bottom of the device to the invert of the inlet/outlet pipe of each chamber, contains floating materials, sediment, oils or greases. Each chamber shall be evaluated separately for the purposes of measurement and the requirement for evacuation; or
- the discharge exceeds BOD, TSS, FOG, pH, or other pollutant levels established by the POTW; or
- as necessary to prevent effluent from exceeding the limits per City of Dubuque Ordinance Title 13, Chapter 2 Article D (6), visible grease exiting the interceptor through the outlet pipe shall be considered a violation of the limits, or
- there is a history of non-compliance with this program, or
- the cleaning schedule as recorded by the FE in the FOG Operation and Maintenance Management Plan does not meet the conditions of this program or does not list a cleaning schedule meeting the manufacturer's or designer's recommendations.

Any FE with a grease interceptor must submit to the POTW a cleaning schedule in the FOG Operation and Maintenance Management Plan. If the proposed cleaning schedule is different than the minimum standard of every thirty (30) days it shall, in no event, exceed a maximum time between clean-outs of one-hundred eighty (180) days. All proposed schedules must be approved by the City of Dubuque.

The maximum period may be decreased based on the inspection records, and shall be subject to inspection during waste removal.

### **7.3 MANIFEST REQUIREMENTS**

Each pump-out of a grease interceptor must be documented on a City provided manifest.

The FE and the Hauler shall maintain a record of each individual collection and deposit in the form of a manifest. The manifest shall at a minimum include:

- name, address, telephone, and POTW registration number of waste hauler;
- name, signature, address, and phone number of the person who generated the waste and the date collected;
- type and amount(s) of waste collected or transported;
- name and signature(s) of responsible person(s) collecting, transporting, and depositing the waste;
- date and place where the waste was deposited;
- identification (permit or site registration number, location, and operator) of the facility where the waste was deposited;
- name and signature of facility on-site representative acknowledging receipt of the waste and the amount of waste received;
- the volume of the grease waste received; and
- a consecutive numerical tracking number to assist transporters, waste generators, and regulating authorities in tracking the volume of grease transported.

The Hauler shall distribute completed Manifests to the following groups:

- The FE at the time of interceptor evacuation.
- The approved receiving facility
- The POTW, if not the receiving facility.
- The waste hauler, who shall retain all manifests showing the collection and disposition of waste for three (3) years.
- One copy of the manifest shall be returned by the waste hauler to the FE within 15 days after the waste is received at the disposal or processing facility. Copies of manifests returned to the FE shall be retained for three (3) years and be readily available for review by the City.

## 8.0 Responsibilities

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### 8.1 CITY DEPARTMENTS

Key Department	Responsibility
W&RRC (POTW)	<ul style="list-style-type: none"><li>• Maintains records and manages the FOG Program, including the manifest documents( in FOG Tracking Software)</li><li>• Maintains FOG Program with current Standards and Practices</li><li>• Maintains and Updates the FOG Tracking System</li><li>• Approves FOG Operation and Maintenance Management Plans in consult with the Building and Health Services Departments</li><li>• Enforces cleaning schedule and communicates with Health Services/ Building Department/Engineering Department of any correspondence or outstanding issues</li><li>• Authorized to request Inspections and Testing, in addition to routine inspections</li><li>• Is an approved Grease Disposal Center</li><li>• Maintains List of Certified Haulers</li><li>• Provides Waste Hauler Certification training course and registers Waste Haulers.</li></ul>
Building Department(City)	<ul style="list-style-type: none"><li>• Consult to the POTW for approval of FOG Operation and Maintenance Management Plans</li><li>• Reviews and Approves New and Replacement Grease Interceptor plans</li><li>• Inspects New and Replacement Grease Interceptor Installations</li><li>• Verifies products are on the Approved Vendor and Product List</li><li>• Ensures the program reflects accurate specifications for Grease Interceptors</li><li>• Provides updates into FOG Tracking System</li><li>• Provides Educational Meetings and handouts to plumbers and contractors including information on Permits and Fees</li></ul>
Health Services (City)	<ul style="list-style-type: none"><li>• Consult to the POTW for approval of FOG Operation and Maintenance Management Plans</li><li>• During/prior to routine inspections verifies grease collection and hauling manifests are on record with the POTW</li><li>• Provides updates into FOG Tracking System</li><li>• Communicates with Building Services to coordinate new, existing, and change of User and/or Generators, menu lines, or practices at the FE</li><li>• Provides education to User and/or Generators on Best Management Practices for approved disposal and cleaning methods</li></ul>

	<ul style="list-style-type: none"> <li>• Informs User and/or Generators of Permit and Fee requirements</li> <li>• Provides education on Best Management Practices at the User and/or Generator's FE</li> </ul>
Public Works (City)	<ul style="list-style-type: none"> <li>• Through CMOM keeps Engineering updated of new grease locations or reduction of grease related SSOs – compliance with Consent Decree</li> </ul>
Legal (City)	<ul style="list-style-type: none"> <li>• Ordinance</li> <li>• Penalties/Citations</li> <li>• Administrative Search Warrants</li> </ul>
Engineering (City)	<ul style="list-style-type: none"> <li>• Assistance as necessary to all departments</li> <li>• Provides FOG Inspections</li> <li>• Inspects FOG generating facilities</li> </ul>

## **8.2 VENDORS**

Product vendors shall provide the City of Dubuque's Building Department with current specifications and manufacturer's literature for the City's review.

Vendors shall provide education on the product to the FE and to City staff as necessary.

## **8.3 FOOD ESTABLISHMENTS**

Best Management Practices must be posted at the food preparation and cooking area and are subject to enforcement and inspection.

FE's are responsible for the preparation and submittal of a FOG Operation and Maintenance Management Plan, compliance with the City of Dubuque's FOG Program and its associated ordinance(s).

FE's are responsible for scheduling waste hauling and cleaning of their grease interceptor(s) in compliance with the FOG Operation and Maintenance Management Plan

FE's are responsible for the correct disposal of waste to an approved disposal site.

FE's that are also Self-Cleaners are responsible for obtaining approval as a Self-Cleaner.

## **8.4. HAULERS**

Waste Haulers are responsible for obtaining certification as an permitted hauler prior to hauling waste from an FE, completing manifests, and disposing of the FE's waste at the POTW or other authorized waste receiving facility. Proof of authorization is required if not the City of Dubuque POTW.

Certified Waste Haulers must have satisfactorily completed a course of training on grease interceptor cleaning offered by the POTW, if disposing of waste at the POTW.

Haulers are responsible for the accurate completion and submittal of manifests in accordance with the City of Dubuque's FOG Program.

Haulers are responsible for verifying Grease Disposal locations are approved for such waste prior to hauling and providing the FE with documentation showing such authorization to dispose of grease laden waste, if other than the City of Dubuque's POTW.

## 9.0 Permit and Fees

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In compliance with Title 13, Chapter 2(E) (2): PERMIT, the City of Dubuque requires all FEs proposing to connect to or contribute to the POTW to obtain a FOG Discharge Permit. The permit will be issued upon receipt of a FOG Operation and Maintenance Management Plan along with a completed application for a Discharge Permit. A permit shall be valid for a period of one (1) year. The FE is responsible for annual permit renewal, which may include completion of a new application and/ or updating the FOG Operation and Maintenance Management Plan.

A Discharge Permit fee is established by the City Manager at \$100 and \$50. A reduced permit fee is for eligible FE's meeting the requirements shown on the FOG Discharge Permit Fee Chart. Renewal Permit Fees shall be determined using the same chart.

The annual permit fee shall be paid at the time of application. The application and fee are due no later than shown in Section 1.2 Implementation Schedule of this program for existing FE's, with renewals scheduled on the anniversary date from the implementation due date.

For new, renovated, or transferred ownership FE's, the annual permit fee will be due at the time of application and renewals shall be due on the anniversary date of the original Discharge Permit application.

A separate application and fee is due for each grease interceptor on a property if servicing separate sewer lines having a separate connection to the POTW.

FE's shall be subject to grease interceptor inspections. The inspection schedule shall be based on any or all the following:

- Health Services Department menu designation
- The City's documentation showing Sanitary Sewer Overflows downstream of an FE
- Historic violations of the FOG program and its ordinance
- The FE's FOG Operation and Maintenance Management Plan

Routine Inspections conducted within the approved inspection cycle shall be at no additional charge to the FE.

Subsequent inspections that are required following a Notice of Violation during the designated inspection period shall be subject to additional inspection fees. The fees are established as follows:

- 1<sup>st</sup> Re-inspection - \$50
- 2<sup>nd</sup> Re-inspection - \$100

- Additional Inspections - \$150 per visit

All fees are payable in full no later than thirty (30) calendar days following the date of the follow up inspection.

## 10.0 Penalties

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Should the United States, the State of Iowa, and/or the City of Dubuque determine a User and/or Generator has failed to perform in accordance with this program, its ordinance, or committed an act prohibited by this program, the City will seek penalties in accordance with Section III of this Program. Enforcement of the program shall be per the City's Enforcement Plan.

The City may enter into consent orders, assurances of voluntary compliance or other similar documents establishing that an agreement has been reached with a previously noncompliant User and/or Generator. Such orders will include specific actions to be taken by the User and/or Generator to correct the noncompliance within a time period specified by the order.

### **10.1 ENFORCEMENT POLICY**

The goal of the City of Dubuque's FOG Program is to ensure compliance with all applicable local, state, and federal regulations and avoid both private and public sector sanitary sewer overflows.

The program's primary concern in every enforcement scenario is to correct the problem that caused the violation.

#### Violations Resulting in Non-Compliance

1. Failure to Submit an Application for Discharge Permit.
2. Failure to Submit a FOG Operation and Maintenance Management Plan in accordance with the timeframes specified in the FOG Program.
3. Failure to Follow Manifest Requirements as stipulated in the FOG Program.
4. Failure to post Best Management Practices in accordance with the FOG Program.
5. Operation of a Food Establishment without a Grease Interceptor as defined by City of Dubuque's FOG Program beyond that timeframe required by the City.
6. Failure to install a Grease Interceptor and associated plumbing such that it does not function to prevent grease from leaving the controlling device.

7. Failure to maintain a Grease Interceptor in accordance with the FOG Program or the submitted FOG Operation and Maintenance Management Plan.
8. Falsification of Manifest data.

#### Description of Enforcement Response as a result of Non-Compliance

Generally, the city follows an escalating enforcement process for recurring violations. A recurring violation is one in which the same type of violation occurs during the annual (12 month) permitting period, the violation(s) occur seasonally rolling into multiple permitting periods (>12months), or any other pattern of non-compliance is shown. AFE may also be classified as a chronic violator when there are three or more unrelated violations in a calendar year.

However, the city reserves the right to use any remedy available at law to address violations.

**Notice of Violation (NOV):** A Notice of Violation will be issued via mail or in person and provide an immediate notice of the violation. In general, an NOV is the method the City will use to communicate the violation to the FE User/Generator. All NOVs will be in writing and maintained by the City. Issuance of a Notice of Violation may prompt the City to perform an inspection or a re-inspection.

**Issuance of a Municipal Infraction:** Any employee authorized by the city manager may issue a municipal infraction. A municipal infraction will be issued upon omission or failure to perform any act or duty required by the City of Dubuque code and its FOG Program. Recurrent Notice of Violations within the same permit period will be subject to repeat municipal infractions. Issuance of a citation may result from escalating or repeated enforcement action for a violation when a User/Generator fails to respond to previous enforcement actions.

**Termination or Suspension of Service:** If a violation of any provision of the FOG Program or city code is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution or nuisance, and when deemed necessary by the City Manager for the preservation of public health or safety or for the protection of public or private property, he may suspend sewer service to any person or persons using the POTW in a manner or way to endanger the public health or safety, or public or private property. In suspending service he may sever all pertinent connections to the public sewer. If such endangerment is imminent, then the City Manager may act immediately to suspend sewer service without notice or warning to said person or persons.

Referral to the Environmental Protection Agency and/or the Department of Natural Resources: For violations that may warrant criminal prosecution, the City of Dubuque will refer the case to the EPA or the State for further action. Referring such cases to the EPA or the State does not preclude the City from taking an administrative or civil enforcement action.

#### Timeframes for Enforcement Response and Corrective Action

For violations a Notice of Violation will be presented at the time of Inspection, if applicable. For violations occurring from failure to submit documentation including Discharge Permits and subsequent renewals, a Notice of Violation will be sent via the United States Postal Service. Corrective action is required within seven (7) calendar days of the date of the NOV. Penalties are listed on the City of Dubuque's FOG Program Violation Schedule of Penalties.

For the following violations, enforcement and corrective actions are:

**Operation of a Food Establishment without a Grease Interceptor** – Initial communication will be via Notice of Violation or municipal infraction alerting the FE of the violation. A corrective action plan stipulating the installation date of a grease interceptor as defined by the FOG Program must be submitted to the City within seven (7) calendar days of the date of the notice. Failure to submit a corrective action plan within the notification period will prompt the City to pursue escalating enforcement.

#### **Incorrect installation of a Grease Interceptor and associated plumbing**

**Existing FE:** Initial communication will be via Notice of Violation alerting the FE of the violation. A corrective action plan will be due within seven (7) calendar days of the date of the notice. Failure to submit a corrective action plan within the notification period will prompt the City to issue a municipal infraction, and as necessary pursue escalating enforcement.

**New Construction:** For new construction, the Grease Interceptor and associated plumbing must be corrected prior to issuance of a Food License. Failure to submit a corrective action plan within the notification period will prompt the City to issue a municipal infraction, and as necessary pursue escalating enforcement.

**Failure to maintain a Grease Interceptor in accordance with the FOG Program or the submitted FOG Operation and Maintenance Management Plan** - Initial communication will be via Notice of Violation or municipal infraction alerting the FE of the violation at the time of inspection. Corrective action must be taken within forty-eight

(48) hours of issuance of the violation. Failure to take corrective action within the notification period will prompt the City to pursue escalating enforcement.

**Falsification of Manifest data** – the FE will be issued a Notice of Violation or municipal infraction and accurate manifest data must be submitted within forty-eight (48) hours of receipt of the notice. Failure to submit the correct manifest data within the notification period will prompt the City to pursue escalating enforcement.