

ORIGINAL
STAMPED IN RED

RESOLUTION NO.: R-2022-048

*Amending Resolution No.: R-2020-015 Adopting City of Columbia Fats, Oils and Grease (FOG)
Forgivable Loan Program*

WHEREAS, On February 4, 2020, the Mayor and City Council approved Resolution No.: 2020-015 adopting the City of Columbia Fats, Oils and Grease (FOG) Forgivable Loan Program; and

WHEREAS, City Council would like to open this program to all businesses in the City of Columbia; and, NOW THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Columbia, South Carolina this 7th day of June, 2022, that the Fats, Oils and Grease (FOG) Forgivable Loan Program January 2020 attached hereto, or as may be modified from time to time be amended to make newly constructed Food Service Establishments eligible.

Requested by:

Assistant City Manager Shealy

Approved by:

Cherise B. Wilson
City Manager

Approved as to form:

[Signature]
City Attorney

Introduced: 6/7/2022

Final Reading: 6/7/2022

[Signature]
Mayor

ATTEST:

Erika M. Hammond
City Clerk

Fats, Oils & Grease (FOG) Forgivable Loan Program
January, 2020

1. Purpose:

The FOG Forgivable Loan Program is designed to assist Food Service Establishments (FSE's) within the City of Columbia, South Carolina, with the installation or upgrade of grease traps and/or grease interceptors in order to comply with the City's existing FOG Program requirements. Compliance with the FOG Program is necessary to prevent the introduction of FOG constituents into the sanitary sewer system which can clog sewer lines and cause sanitary sewer overflows.

2. Definitions:

- (a) COC: City of Columbia
- (b) FSE: Food Service Establishment
- (c) FOG: Fats, Oils, and Greases
- (d) FOG Equipment: Grease traps/grease interceptors and appurtenances needed to meet COC FOG program requirements.
- (e) OBO Staff: COC Office of Business Opportunities personnel who will administer the FOG Forgivable Loan Program documentation.
- (f) WWC: The City of Columbia's Wastewater Compliance Division who will oversee the technical aspects of qualifying FOG candidates, FOG equipment review, installation and program monitoring.

3. Eligibility:

- (a) Applicant must be a commercial property owner or tenant occupying commercial lease space within the City of Columbia pursuing FOG equipment installation or upgrade for an existing FSE or for a property being converted to an FSE. ~~Newly constructed FSE's are not eligible.~~
- (b) Applicant must be constructing FOG equipment improvements which have been approved by the COC WWC. All work associated with the installation of FOG equipment improvements must be performed by contractors licensed by the COC to perform such work.
- (c) Applicants receiving a FOG Forgivable Loan are not prohibited from pursuing other funding from the City of Columbia OBO Commercial Retention and Redevelopment (CRR) program, when a CRR target area is within the FOG eligible program area.
- (d) Existence of the FOG Forgivable Loan Program is at the discretion of the City Council of the City of Columbia, S.C., and may be adjusted or eliminated at any time. Approved FOG Forgivable Loan applications, while the program is active, will be honored by the COC.
- (e) Approved FOG Forgivable Loan Program applicants are eligible for reimbursement of up to 50% of the cost of labor, equipment and materials necessary to install FOG equipment. The maximum FOG Forgivable Loan matching amount provided by the COC is \$5,000.00 (Five Thousand Dollars and no/100).
- (f) When applicable, all applicants must agree to comply with all Federal Regulations, including, but not limited to Title IV of the Civil Rights Act of 1964, Executive Order 11246 concerning equal employment opportunity, and the Davis-Bacon Act (Amended by Ord. No. 93-59, 8/4/93), Sec. 2). Compliance is required when a FOG budget funding source is from a federal agency.

4. Terms and Limits:

- (a) Upon approval of the FOG Forgivable Loan application and the issuance of the Notice to Proceed by the COC, the Applicant has 90 calendar days to complete the FOG equipment improvements.
- (b) If the Applicant has made a good-faith effort to begin construction on the FOG equipment improvements described in the FOG Forgivable Loan application within the 90 calendar day period,

but has not completed construction as determined by COC WWC personnel, a 30-day extension to complete improvements may be issued.

- (c) Upon completion of FOG equipment improvements and field inspection approval by COC WWC staff, the Applicant may submit documentation to COC CRR staff for reimbursement as described in the FOG Forgivable Loan Program application. The COC will make reimbursement in accordance with the terms and conditions of the application.
- (d) Upon receipt of reimbursement of funds under the FOG Forgivable Loan Program, the Applicant must remain in compliance with COC FOG Program requirements and remain in business for two (2) years at which time the FOG Forgivable Loan will be forgiven and repayment of the FOG Forgivable Loan to the COC, in whole or in part, will no longer be applicable.
- (e) If a FOG Forgivable Loan Program application is denied, the applicant may appeal this decision by filing a written appeal to the COC City Manager within thirty (30) calendar days of the dated denial notification.

5. Application Requirements:

- (a) An applicant shall submit plans, specifications, and other necessary documentation to the COC WWC staff for determination regarding the appropriate FOG equipment installation at the location under consideration.
- (b) Upon approval of FOG improvements by the COC WWC staff, the applicant may submit FOG Forgivable Loan Application documents to COC WWC staff.
- (c) Upon review and approval of the FOG Forgivable Loan Program application, COC WWC staff will forward the applicant's documentation to COC OBO Staff.
- (d) Upon determination that the FOG Forgivable Loan application is administratively complete, and upon approval by the COC, the applicant shall be issued a Notice to Proceed.
- (e) After receipt of the Notice to Proceed, the applicant has 90 days to complete construction of the FOG equipment improvements as described in **4. Terms and Limits** above.

6. Default:

- (a) Repayment of the FOG Forgivable Loan occurs only upon Default. If the applicant is not in compliance with COC Fog Program requirements for two (2) years, or if the business utilizing the FOG equipment ceases business operations within two (2) years, the FOG Forgivable Loan is in Default, and the COC has the right to request immediate repayment of the pro-rated amount of the forgivable loan balance, payable within thirty (30) days.

7. Other:

- (a) COC staff is authorized to develop the appropriate applications, forms, and other necessary documentation to facilitate the orderly administration of the FOG Forgivable Loan Program.