

Mr. Nolan offered the following Ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

**GREASE TRAP ORDINANCE
ORDINANCE NO. O-08-03**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
HIGHLANDS AND MORE PARTICULARLY 16.3.5 GREASE TRAP
REQUIRED TO ADD ADDITIONAL REQUIREMENTS**

BE IT ORDAINED by the Borough Council of the Borough of Highlands that Chapter 16.3.5 of the Revised General Ordinances of the Borough of Highlands be amended and supplemented to read as follows:

New text denoted by Underline, deletions by ~~Strikeover~~.

~~16-3.5 Grease Trap Required.~~

~~Each food handling or preparation establishment shall at all times have a grease intercepter device commonly called a grease trap, which device and installation shall be approved by the plumbing subcode official of the Borough of Highlands. Exempted herefrom are self-contained single family living units.~~

~~a. Each grease trap shall be cleaned and maintained by the retail food handling or preparation establishment as often as necessary to insure its proper operation.~~

~~b. Each grease trap must be accessible for inspection by the plumbing subcode official, and sanitary sewer personnel during all hours when work is conducted on the premises.~~

~~c. A violation of this subsection, in addition to the provisions of subsection 16-3.4e., shall be punishable by a fine of not less than two hundred fifty (\$250.00) dollars for a first offense and not less than five hundred (\$500.00) dollars for each subsequent offense. Each day a particular violation continues shall constitute a separate offense.~~

~~16-3.6 Time for Compliance.~~

~~All food establishments subject to the provisions of this Chapter 16, section 163 shall have 90 days from the date of adoption of this subsection with which to comply.~~

Section 1: Purpose

The purpose of this ordinance is to control discharges into the public sewerage collection system and wastewater treatment plan that interfere with the operations of the system, cause

blockage and plugging of pipelines, interfere with normal operation of pumps and their controls, and contribute waste of a strength or form that either causes treatment difficulties or is beyond the treatment capability of the wastewater treatment plant.

Section 2: Definitions

A: Grease

Material composed primarily of fats, oil and grease (FOG) from animal or vegetable sources. The terms fats, oil, and grease shall be deemed as Grease by definition. Grease does not include petroleum based products.

B: Grease Trap

A device for separating and retaining waterborne greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system.

C: Food Service Facilities

Those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption foodstuffs and that use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing. These facilities include restaurants, cafeterias, hotels, motels, hospitals, nursing homes, schools, grocery stores, prisons, jails, churches, camps, caterers, manufacturing plants, or any other sewer users as determined by the Plumbing Subcode Official who discharge applicable waste. Exempted herefrom are self-contained single family living units.

D: User

Any person or establishment including those located outside the jurisdictional limits of the Borough who contributes, causes, or permits the contribution or discharge of wastewater into the Borough's wastewater collection or treatment system, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.

E: Oil/Water Separator

An approved and industry standard system that is specifically designed and manufactured to separate oil from water. The system shall allow the oil to be collected and removed on a regular basis as to prevent it from being discharged into the wastewater collection system. Only oil/water separators manufactured for that specific operation will be approved. Adequate support

literature from the manufacturer will be required so as to allow a proper review by the Plumbing Subcode Official.

Section 3: Control Plan for (FOG) and Food Waste

A: Any new construction, renovation, or expansion of Food Service Facilities shall be required to submit to the Borough a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system.

B: Any existing Food Service Facilities shall also be required to submit a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system. Existing facilities shall not be exempt from the requirements of this ordinance. There will be no “Grandfathering”.

Section 4: General Criteria

A: Installation Requirements

All existing, proposed, or newly remodeled Food Service Facilities inside the Borough of Highlands wastewater service area shall be required to install, at the user’s expense, an approved, properly operated and maintained grease trap.

B: Sanitary Sewer Flows

Sanitary sewer flows from toilets, urinals, lavatories, etc. shall not be discharged into the grease trap. These flows shall be conveyed separately to the sanitary sewer service lateral.

C: Floor Drains

Only floor drains which discharge or have the potential to discharge grease shall be connected to a grease trap.

D: Garbage Grinders/Disposers

It is recommended that solid food waste products be disposed of through normal solid waste/garbage disposal means. If a grinder/disposal is used it must be connected to the grease trap. The use of grinders is discouraged since it decreases the operational capacity of the grease trap and will require an increased pumping frequency to ensure continuous and effective operation.

E: Dishwashers

Commercial dishwashers must be connected to the grease trap. Dishwashers discharge soap and hot water which can melt grease and allow it to pass through an undersized grease trap. Traps must be sized accordingly to allow enough detention time to allow water to cool and grease to solidify and float to the top of the trap.

F: Location

Grease trap shall be installed outside the building upstream from the sanitary sewer service lateral connection. This will allow easy access for inspection, cleaning, and removal of the intercepted grease at any time. A grease trap may not be installed inside any part of a building without written approval by the Plumbing Subcode Official.

G: Pass Through Limits

No User shall allow wastewater discharge concentration from grease trap to exceed 100 MgPL (milligrams per liter) as identified by EPA method 1664A.

Section 5: Design Criteria

A: Construction

Grease traps shall be constructed in accordance with the Borough of Highlands standards and shall have a minimum of two compartments with fittings designed for grease retention. All grease removal devices or technologies shall be subject to the written approval of the Plumbing Subcode Official. Such approval shall be based on demonstrated removal efficiencies of the proposed technology.

B: Access

Access to grease traps shall be available at all times, to allow for their maintenance and inspection. Access to trap shall be provided by two manholes (one on each compartment) terminating at finished grade with cast iron frame and cover.

C: Load-Bearing Capacity

In areas where additional weight loads may exist, the grease trap shall be designed to have adequate load-bearing capacity. (Example: vehicular traffic in driving or parking areas.)

D: Inlet and Outlet Piping

Wastewater discharging to a grease trap shall enter only through the inlet pipe of the trap. Each grease trap shall have only one inlet and one outlet pipe.

E: Grease Trap Sizing

All grease traps shall have a capacity of not less than 1,000 gallons nor exceed a capacity of 3,000 gallons. If the calculated capacity exceeds 3,000 gallons, multiple units plumbed in series shall be installed.

Section 6: Grease Trap Maintenance

A: Cleaning/Pumping

The user, at the user's expense, shall maintain all grease traps to assure proper operation and efficiency. Maintenance of grease trap shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludge and solids. This work shall be performed by a qualified and licensed hauler. Decanting or discharging of removed waste back into the trap from which it was removed or any other grease trap, for the purpose of reducing the volume to be disposed, is prohibited. This service shall also include a thorough inspection of the trap and its components. Any needed repairs shall be noted. Repairs shall be made at user's expense.

B: Cleaning/Pumping Frequency

The grease trap must be pumped out completely a minimum of once every four months, or more frequently, as determined by the Plumbing Subcode Official, as needed to prevent carry over of grease into the sanitary sewer system.

C: Disposal

All waste removed from each grease trap must be disposed of at a facility approved to receive such waste in accordance with the provisions of this program. In no way shall the pumpage be returned to any private or public portion of the Borough's sanitary sewer collection system. All pumpage from grease traps must be tracked by a manifest, which confirms pumping, hauling, and disposal of waste. The customer must obtain and retain a copy of the original manifest from the hauler.

D: Maintenance Log

A grease trap cleaning/maintenance log indicating each pumping for the previous 24 months shall be maintained by each Food Service Facility. This log shall include the date, time, amount pumped, hauler, and disposal site and shall be kept in a conspicuous location for inspection. Said log shall be made available to the Plumbing Subcode Official or his representative upon request.

E: Submittal of Records

Each user shall submit all cleaning and maintenance records to the Plumbing Subcode Official. The maintenance records shall include the following information:

1. Facility name, address, contact person, and telephone number.
2. Company name, address, telephone number, and contact name of person responsible for performing the maintenance, cleaning, pumping, or repair of grease trap.
3. Types of maintenance performed.
4. Dates maintenance was performed.

5. Date of next schedule maintenance.
6. Copies of manifests.

The user shall be required to submit maintenance records to the Plumbing Subcode Official on a biannual basis (twice per year). Records shall be submitted by March 1st and September 1st of each year. The records shall be submitted to:

Plumbing Subcode Official
Borough of Highlands
171 Bay Avenue
Highlands, NJ 07732.

The Plumbing Subcode Official will perform periodic inspections of these facilities and shall notify the user of any additional required maintenance or repairs. Upon written notification by the Plumbing Subcode Official, the user shall be required to perform the maintenance and records of said maintenance within 14 calendar days. Upon inspection by the Plumbing Subcode Official, the user may be required to install, at his expense, additional controls to provide a complete system which prevents discharges of undesirable materials into the wastewater collection system.

Section 7: Additives

Any biological additive(s) placed into the grease trap or building discharge line including, but not limited to, enzymes, commercially available bacteria, or other additives designed to absorb, purge, consume, treat, or otherwise eliminate fats, oils, and grease shall require written approval by the Plumbing Subcode Official prior to use. The use of such additives shall in no way be considered as a substitution to the maintenance procedures required herein.

Section 8: Chemical Treatment

Chemical treatments such as drain cleaners, acid, or other chemical solvents designed to dissolve or remove grease shall not be allowed to enter the grease trap.

Section 9: Enforcement and Fines

A: Recovery of Damages

When the discharge from a Food Service Facility causes an obstruction, damage, or any other impairment to the treatment works, or causes any expense, fine, penalty, or damage of whatever character or nature to the Borough, the Plumbing Subcode Official shall invoice the owner for same incurred by the Borough. If the invoice is not paid, the Plumbing Subcode Official shall notify the Borough Attorney to take such actions as shall be appropriate to seek reimbursement.

B: Penalty

A violation of this chapter is subject to the Penalty provisions of Section 3-9 of the General Ordinances of the Borough of Highlands.

C: Remedies Nonexclusive.

The remedies provided for in this Ordinance are not mutually exclusive. The Plumbing Subcode Official may take any, all, or any combination of these actions against a noncompliant person.

Section 10:

If any section or provision of this ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable from the remainder or any portion thereof.

Section 11:

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 12:

This ordinance shall take effect upon final passage and publication as provided by law.

Seconded by Mr. Caizza and adopted on the following roll call vote:

ROLL CALL:

AYES: Mrs. Burton, Mr. Caizza, Mr. Urbanski, Mr. Nolan, Mayor Little

NAYES: None

ABSENT: None

ABSTAIN: None

DATE: May 21, 2008

NINA LIGHT FLANNERY, Borough Clerk

Intro: April 16, 2008

Publish: April 24, 2008, The Courier

2nd Reading: May 21, 2008

Adoption: May 21, 2008

Publication:

I, _____ Clerk/Deputy Clerk, do hereby certify this to be a true copy of Ordinance # _____ as adopted on _____.