

Ordinance: #1,528
Introduced: 10/20/14
Adopted: 11/17/14
Effective: 12/9/14

ORDINANCE 18-14

**AN ORDINANCE GOVERNING THE INSTALLATION AND MAINTENANCE OF
GREASE TRAPS**

WHEREAS, in an effort to prevent blockages, obstructions and backups in the sanitary sewer system of the Borough of Lincoln Park ("Borough"), the Borough wishes to create a new Borough Ordinance to provide for and address this issue as well as related issues with the Borough's sanitary sewer system; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Lincoln Park, County of Morris, State of New Jersey, as follows:

SECTION ONE. Chapter 132 of the Ordinances of the Borough of Lincoln Park is hereby established as follows:

CHAPTER 132

- Chapter 132-1 – Purpose
- Chapter 132-2 – Definitions
- Chapter 132-3 – Installation and Maintenance of Grease Traps
- Chapter 132-4 – Best Management Practices
- Chapter 132-5 – Access
- Chapter 132-6 – Inspections
- Chapter 132-7 – Additives
- Chapter 132-8 – Enforcement, Fees, Violations and Penalties
- Chapter 132-9 – Non-Repealer

**AN ORDINANCE GOVERNING THE INSTALLATION AND MAINTENANCE OF
GREASE TRAPS**

Chapter 132-1 - Purpose

The purpose of this chapter is to aid in the prevention of sanitary wastewater system blockages, back-ups and obstructions from contributions and accumulation of fats, oils, and greases into the sanitary wastewater system from all food service establishments and any and all retail, industrial or commercial establishments.

Chapter 132-2 – Definitions – as used in this section the following terms shall have the meanings set forth below:

- a. Borough - Borough of Lincoln Park.
- b. Brown Grease - Waste vegetable oil, animal fat, grease, etc., that is recovered from the wastewater drain and grease trap.

not require that food/food service establishment to produce, prepare, process, handle and/or serve the food/drink within that establishment.

e. Grease Trap - Device that separates and collects oil, grease and settleable solids at the entrance of the sanitary wastewater system, thereby preventing them from traveling through the wastewater pipes and treatment system.

f. Inspecting Official - Employee and/or representative of the Borough of Lincoln Park Building Department, Department of Public Works and/or Health Department.

g. Manufacturer, Processor or Distributor - Any business that manufactures, processes and/or distributes food and/or food products as part of its wholesale business.

h. User - Any person who contributes, causes or permits the discharge of wastewater into the sanitary wastewater systems within the Borough's boundaries.

i. Yellow Grease - Grease derived from used cooking oil from the food industry as typically found in frying oils from deep fryers.

Chapter 132-3 – Installation and Maintenance of Grease Traps.

a. All existing, proposed, or newly remodeled food establishments within the Borough shall be required to install, at the user's expense, an approved, properly operated and maintained grease trap or acceptable grease recovery system.

b. The inspecting official may require that a grease trap in a food establishment be upgraded to the current-day industry standards.

c. All new construction and/or installation shall require that waste disposals and commercial dishwashers do not discharge into the grease trap(s).

d. Food waste, including fat, oil, and grease, cannot be discarded into a slop sink, floor drain, toilet or any other plumbing fixture not connected to a grease trap.

e. The grease trap shall be in proper operation and efficiency, at the owner's expense, at all times.

f. Cleaning of grease trap shall be done at a minimum biweekly or more often as required, with complete removal of all contents, including floating materials, wastewater, bottom sludge and solids.

g. Disposal of waste material from the grease trap shall be discarded in accordance with all applicable federal, state, county and local laws, rules, code provisions and/or regulations. Contents of the grease trap shall be disposed by a private waste hauler firm hired by establishment, with written documentation of waste hauler name, address, phone number, dates waste removed and volume in gallons, type of grease (yellow or brown), and such records shall be maintained on premises for a period not less than 24 months and made available to the inspecting official upon request. In no event

a. All food establishments regulated under/pursuant to this Ordinance shall adhere to best management practices dealing with fat, oil and grease disposal and shall educate their employees to these practices. Best management practices include, but are not limited to the following:

- i. Training staff on grease handling procedures;
- ii. Hanging/Displaying grease handling posters in all applicable areas;
- iii. Instructing employees that food waste shall not be disposed/discharged into the sanitary sewer system.
- iv. Providing appropriate paper towel dispensers for dry-wiping grease from spills, pots, fry grilling equipment, and other surfaces saturated with fat, oils and grease residue.
- v. Using strainer baskets in sinks to catch food waste.
- vi. Directing all drains from grease producing surfaces to a properly sized grease trap.
- vii. Insuring that the hot water in food establishments is less than 139° F.

Chapter 132-5 – Access

a. The inspecting official shall have the authority to perform periodic inspections of those establishments generating fat, oil or grease in their operations and shall notify the user of any additional required maintenance or repairs within a stated time period. The user may be required to install, at his sole cost and expense, additional controls to provide a complete system which prevents discharges of undesirable materials into the sanitary wastewater system.

b. Access to grease traps by an inspecting official shall be provided during normal business hours, unless an emergency situation requires access during off-business hours, then access shall be provided to the inspecting official immediately upon request.

Chapter 132-6 - Inspections

a. All food establishments must employ, at their own cost and expense, a licensed plumber to conduct an **annual** inspection of their grease traps and connecting wastewater lines to ensure that waste fat, oil and grease are being adequately removed from the wastewater before being discharged into the sanitary wastewater system, and that wastewater temperature does not exceed 139°F. The licensed plumber shall provide a formal inspection report to the food establishment within two (2) weeks of the inspection. The inspection report shall include, but not be limited to, the maintenance and efficiency of the grease trap, amount of oil and grease found in connecting wastewater lines, percentage of oil and grease being removed from wastewater being discharged into the sanitary wastewater system, and temperature of the wastewater.

b. In addition to the mandatory annual inspection set forth above, the inspection official shall have the authority to conduct inspections pursuant to a complaint, for new construction or installation, and such other periodic inspections that the inspection official deems necessary and appropriate.

Chapter 132-7 - 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, treat, or otherwise eliminate fats, oils and/or grease, shall not be considered an acceptable substitute for the installation and maintenance of a grease trap as required herein.

Chapter 132-8 – Enforcement, Fees, Violations and Penalties

a. When the discharge from a food establishment causes an obstruction, damage, or any other impairment to the treatment works, or causes any expense, fine, penalty, or damage of any nature whatsoever to the Borough, the inspecting official shall invoice the owner/User of same incurred by the Borough. If the invoice is not paid within seven (7) days of receipt, the inspecting official shall notify the Borough Attorney to take any and all actions as shall be appropriate to seek reimbursement.

b. An inspection fee shall be imposed for all inspections performed by an inspecting official as a result of a complaint and/or violation against a food establishment and/or manufacturer, distributor or processor, in the amount of \$100.00.

c. For each re-inspection carried out pursuant to an unresolved complaint and/or violation, a fee of \$100.00 shall be imposed.

d. Any person who violates any section of this Chapter is subject to the following fines:

- i. First Offense: up to \$250.00 per day until the violation is corrected, plus reimbursement of costs and damages;
- ii. Second Offense: up to \$500.00 per day until the violation is corrected, plus reimbursement of costs and damages; and
- iii. Third or More Offenses: \$1,000.00 per day until the violation is corrected, plus reimbursement of costs and damages. In addition, the Borough may terminate/close the Users ability/access to the Borough sanitary sewer system.

Chapter 132-9 – Non-Repealer

All other sections of the Borough Ordinances not specifically amended by the provisions of this Ordinance shall remain in full force and effect.

SECTION TWO. All Ordinances of the Borough of Lincoln Park which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION THREE. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION FOUR. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

ATTEST:

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