

ORDINANCE NO. 15

AN ORDINANCE SETTING FORTH POLICIES, PROCEDURES, AND REQUIREMENTS FOR FOOD SERVICE ESTABLISHMENTS GOVERNING GREASE TRAPS, GREASE INTERCEPTORS OR OTHER COMPARABLE DEVICES FOR OIL/GREASE REMOVAL, AND TO ESTABLISH PROCEDURES REGARDING IMPLEMENTATION AND ENFORCEMENT

District Counsel Summary

This ordinance adds District Ordinance No. 15 setting forth policies, procedures and requirements for food service establishments governing the installation, maintenance, and use of grease traps, grease interceptors or other comparable devices which represent the best practicable control technology for oil/grease removal, and to establish procedures regarding implementation and enforcement of the regulations set forth in this Ordinance.

THE BOARD OF DIRECTORS OF THE SEASIDE COUNTY SANITATION DISTRICT DOES ORDAIN AS FOLLOWS:

SECTION A. Ordinance No. 15 is added to read as follows:

Section 1. Purpose.

The purpose of this chapter is to set forth policies, procedures, and requirements for food service establishments governing the installation, maintenance, and use of grease traps, grease interceptors or other comparable devices which represent the best practicable control technology for oil/grease removal, and to establish procedures regarding implementation and enforcement of the regulations set forth in this Ordinance.

Section 2. Conflict between these provisions and Uniform Plumbing Code

In the event of any conflict between the provisions of this Ordinance and the Uniform Plumbing Code, to the extent that the provisions of this Ordinance are more restrictive than the Uniform Plumbing Code, the provisions of this Ordinance shall prevail. In the event that the provisions of the Uniform Plumbing Code are more restrictive than the provisions of this Ordinance, then the provisions of the Uniform Plumbing Code shall prevail.

Section 3. Definitions.

(a) "Food service establishment" means an establishment that prepares and/or sells food for consumption either on or off the premises, including, but not limited to, restaurants, sandwich shops, delicatessens, bakeries, cafeterias, markets, bed and breakfast inns, motels, hotels, meeting halls, caterers, retirement and nursing homes or pizzerias. The term, as used in this Ordinance, does not refer to food stores or establishments that do not prepare food on premises or process food in a manner so as to contribute grease to the sewer system.

(b) "Grease interceptor" means a device designed and installed to separate and retain deleterious, hazardous, or undesirable matter from normal wastes and to permit normal sewage or liquid wastes to discharge into the disposal terminal by gravity.

(c) "Grease trap" means a device designed to retain grease from one to a maximum of four fixtures.

(d) "MRWPCA" means the Monterey Regional Water Pollution Control Agency.

(e) "SCSD" and "District" means the Seaside County Sanitation District

Section 4. Requirement for grease trap, grease interceptor, or other device

(a) A food service establishment or any other business discharging grease, oil or other similar material shall have an operable grease trap, grease interceptor or other comparable device(s) as determined by MRWPCA and SCSD to be an adequate substitute for a grease trap or grease interceptor. A properly sized interceptor or trap shall be considered first, in conformity with the sizing chart as determined by the MRWPCA Regional Grease Program. Should space limitations or other exceptional circumstances prevent their installation, MRWPCA may grant exceptions to the requirement of grease traps or grease interceptors in this section.

(b) All drains from food preparation and clean up areas including, but not limited to, pre-wash sinks, floor drains, food waste disposal units, pot and pan sinks, scullery sinks, and garbage can wash areas shall be connected to such trap or interceptor.

(c) Sizing Formula. The size of a grease trap or grease interceptor shall be as determined by the MRWPCA. Notwithstanding the foregoing, grease traps required by this Ordinance shall be no smaller than an 80-gallon capacity trap with a 75-gallon per minute flow rate.

(d) Existing grease traps, grease interceptors or similar devices.

(1) Any food service establishment or other business that, on or after July 1, 1997, installed grease traps, grease interceptors, or other grease pre-treatment equipment to comply with the requirements of the MRWPCA Regional Grease Program, shall not be required to upgrade such Equipment. Replacement as stated in this Ordinance will be required should one or a combination of the following occur:

- i) Improper maintenance or non maintenance of the equipment based on inspections by the District.
- ii) Replacement of a non-operational equipment.
- iii) Sewer mainline stoppage within 100 feet downstream of business sewer lateral location.
- iv) Failure to submit required annual report.

(2) Any food service establishment shall upgrade their grease traps, grease interceptors or similar devices to meet the standards set forth in this Ordinance upon the change of ownership of the business in which the equipment is located, or upon the remodeling of the business facility in which the equipment is located. Remodeling of the business facility not requiring a building permit shall be exempted from the upgrade requirement. The remodeling shall not be separated into phases for the purpose of avoiding the requirement of a building permit.

Section 5. General regulations and procedures

- (a) When waste treatment is required pursuant to this Ordinance, an approved grease trap or grease interceptor complying with the provision of this Ordinance shall be installed in the waste line leading from sinks, drains, and other fixtures or equipment.
- (b) A plumbing permit shall be obtained from the chief building official of the governing jurisdiction prior to the installation of a grease trap or grease interceptor.
- (c) Each trap, interceptor, or comparable device required by this Ordinance shall have an approved volume not less than required by this Ordinance.
- (d) Toilets, lavatories, and other sanitary fixtures shall not be connected to any grease trap, grease interceptor, or comparable device.
- (e) Location of Grease Traps, and Grease Interceptors.
 - (1) Grease Traps, and Grease Interceptors shall be located outside buildings, unless a finding is made by the chief building official that the location of the building on the site or some other aspect of the use prevents an outside location and that placement within a building is not hazardous to public health and safety;
 - (2) Grease Traps, and Grease Interceptors shall be located and maintained at all times so as to prevent the entrance of foreign materials, shall be easily accessible for cleaning, inspection and removal of intercepted grease, and shall pose no hazard to public health or safety;
 - (3) Grease Traps, and Grease Interceptors shall be located on private property. If this is found to be impossible, the owner must apply for approval from the Department of Public Works for an encroachment within the public right-of-way.
 - (4) If Grease Traps, and Grease Interceptors are not designed in accordance with Uniform Plumbing Code (UPC) Section 711 and/or Appendix H, they must be designed by a professional engineer, must be consistent with the standards of this Ordinance, and must be approved by MRWPCA.
- (f) Related Equipment.
 - (1) Grease Traps, and Grease Interceptors shall be fitted with a standard service access cover or manholes. If manholes are required, it shall be brought to grade and finished with standard manhole cover and ring;
- (g) All discharging fixtures shall be individually trapped and vented in accordance with the UPC.
- (h) Grease Traps, and Grease Interceptors shall be constructed of durable materials and shall have a full-size gas-tight cover which can easily be removed.
- (i) Grease Traps, and Grease Interceptors shall not be installed until the type and/or model has been subjected to, and has fully complied with, tests acceptable to the District. Where an existing grease trap or grease interceptor is found acceptable by the District, such equipment will be allowed to remain in use. Whenever a grease trap or grease interceptor does not comply with the provisions of this Ordinance, the District shall require corrective measures.
- (j) Prohibited and/or Restricted Equipment.

- (1) The installation and use of garbage grinders (disposals) in commercial-food establishments is prohibited, except where a 1000 gallon-plus interceptor is in use;
 - (2) The connection of high-temperature/high-flow dishwashers to a grease trap is prohibited;
 - (3) The use of enzymes or bacterial cultures designed to disperse grease is prohibited unless specifically approved in writing by the Monterey County Health Department and the MRWPCA.
- (k) Maintenance.
- (1) Traps and interceptors shall be maintained in efficient operating condition by periodic removal of the accumulated grease. No collected grease shall be introduced into any public or private drainage piping.
 - (2) Any grease trap or grease interceptor required by this Ordinance shall be readily accessible for inspection and properly maintained to assure that accumulations of grease or oil do not impair its efficiency or transport grease or oil into the sewer system.
 - (3) All food service establishments or businesses required under this Ordinance to install and maintain a grease trap or grease interceptor shall maintain a maintenance record for the grease trap or grease interceptor, which shall be transmitted to the Seaside County Sanitation District on an annual basis. This record shall include the date, the name of the person who performed the cleaning, and the disposal site of the waste. The record shall be posted in a conspicuous location and be available for review by the District's inspector at each routine inspection and at such other time as necessary for the District to determine whether a particular establishment may be performing maintenance contrary to the provisions of this Ordinance.
 - (4) The District or its designee may perform grease trap and grease interceptor inspections bi-annually, or more often at the discretion of the District should maintenance reports not be received or should a grease trap or grease interceptor fail to operate properly as indicated by a mainline stoppage within 100 feet downstream of said business.
 - (5) In the event the District determines that a food service establishment or business required to install and maintain a grease trap either fails to maintain the maintenance record required by this section, or fails to maintain the grease trap as required by this section, the District may require the immediate installation of a grease interceptor.
- (l) Suspension or Termination of Health Permit. The District shall have the discretion to request the Monterey County Health Department (the District's health officer) to terminate or cause to be terminated the health permit of any user if a violation of any provision of this Ordinance is found to cause a condition of contamination, pollution, nuisance, or other threat to public health or safety.
- (m) Request for Ruling. If an applicant for a permit or the owner of a grease trap or grease interceptor disputes the interpretation or application of this

Ordinance, he/she may request a written ruling by the District Manager. The decision of the District Manager shall be final for all purposes.

Section 6. Severability.

It is hereby declared to be the intention of the Board of Directors that the sections, sentences, clauses and phrases of this ordinance are severable, and if any section, sentence, clause or phrase is held to be unconstitutional by valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remaining sections, sentences, clauses or phrases of this ordinance.

Section 7. Effective Date and Publication.

This Ordinance shall be published once after its passage and adoption in a newspaper of general circulation and shall be in force and take effect thirty (30) days from and after its passage and adoption.

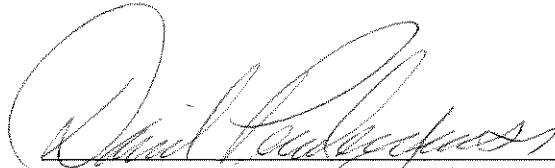
SECTION B.

INTRODUCED at a regular meeting of the Board of Directors of the Seaside County Sanitation District duly held on the 12th of October, 2004 and subsequently, PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Seaside County Sanitation District duly held on the 9th of November, 2004 by the following vote:

AYES:

NOES:

ABSENT:



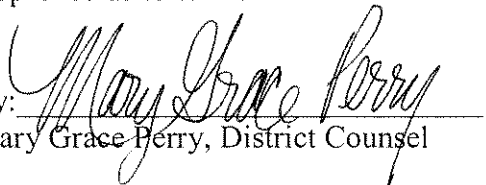
DAVID PENDERGRASS, Chair, Board of Directors
SEASIDE COUNTY SANITATION DISTRICT

Attest:

JERRY C. SMITH, 2nd Vice Chair

BY: 

Approved as to form:

By: 
Mary Grace Perry, District Counsel