

BOROUGH OF AVALON

ORDINANCE NO. 1342

AN ORDINANCE OF THE BOROUGH OF AVALON, COUNTY OF ALLEGHENY,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING REQUIREMENTS FOR GREASE  
REMOVAL SYSTEMS, MAINTENANCE AND RECORDKEEPING OF SAME AND  
ESTABLISHING PENALTIES FOR VIOLATION.

WHEREAS, the Borough of Avalon is entrusted by its citizens to maintain the health, welfare and safety of its residents; and

WHEREAS, the Borough of Avalon is responsible for maintaining its public sewer system in good and property working order; and

WHEREAS, the Borough Council for Avalon Borough finds that the failure to provide properly operating grease traps leads to sanitary sewer malfunction, sewage backups, pollution and unnecessary Borough expense.

NOW, THEREOFRE, BE IT ORDAINED AND ENACTED by the Borough Council for Avalon Borough as follows:

**Section 1. Definitions**

Food Preparation Facility: means and includes any food establishment in any building, room or place or any portion thereof or appurtenance thereto, where human food or drink is mixes, cooked, or otherwise prepared, offered for sale, sold, served or given with or without charge to patrons, customers or guests for consumption on the premises; provided however, that this does not include the mixing, cooking or other preparation and serving of food in single-family dwellings to the resident family or its guests, or to buildings designated for other approved residential use in the Borough Zoning Ordinance.

Grease Trap: means an interceptor whose flow rate is 35 gpm or less and which is located inside building. Grease traps shall be rated for a minimum 22.5 gpm.

Restaurant: means and includes any public eating place where regular meals are prepared, offered for sale, sold and served to patrons, customers or guests for compensation based on the price charged for and generally paid at the

conclusion of each meal. The words "regular meals" as used herein mean meals generally consistent of courses embracing some kind of meat or its equivalent, vegetables, bread, pastry, beverage and accompaniments, serve at more or less intervals.

**Section 2. Grease Removal Systems.**

Grease removal systems must be installed at all connections to the Avalon Borough sanitary sewage facilities from users conducting food preparation or food processing operations including, but not limited to restaurants, nursing homes, schools, hospitals or other connections which discharge or have the potential of discharge quantities of grease to the Borough sanitary sewage facilities in excess of allowable standards. Installation of a grease removal system shall be required when the Borough determines that such discharge could result in obstruction to flow in the sewer or accumulations of grease that could result in obstruction to flow in the sewer. Grease removal systems must be installed according to the following specifications:

- (1) No waste water, other than from kitchen fixtures or food processing equipment, shall discharge into the grease removal system unless approved by the Avalon Borough Council or its designee in writing.
- (2) Any user required to install a grease removal system must install either (a) an outdoor passive in-ground grease interceptor; (b) an automatic electrical/mechanical grease removal unit; or (c) semi-automatic grease removal unit.
- (3) In-ground grease removal system shall have a minimum depth of 4 feet and a minimum capacity of 500 gallons, and shall have sufficient capacity to provide at least 24 hour detention period for the process flow. The minimum process flow shall be based on 15 gallons per seat or chair per day or based on actual water usage for existing facilities, according to such reasonable standards as may be utilized the Borough Engineer.
- (4) A suitable sampling location shall be providing for sampling of the discharges from grease removal systems. Any plans for such grease removal system is required in this section shall be submitted for Borough review and approval prior to installation. The Borough must be notified 72 hours prior to installation of any grease removal device in order to inspect and oversee the installation. Automatic electrical/mechanical grease removal systems must have a sampling valve installed in the discharge

pipng with a minimum clearance of 8 inches for the installation of sampling bottles.

- (5) The owners shall be responsible for cleaning and maintaining grease removal system and shall maintain records of the dates of cleaning the means of disposal, subject to review by the Borough. Any removal and hauling of the collected materials not performed by the owner must be performed by licensed waste disposal firms.
- (6) All dishwasher waste water from the pre-rinse station must discharge to the grease removal device. All other dishwasher waste water must bypass the grease removal device and be discharged directly into the sewer system.
- (7) The garbage disposal units may only be installed in facilities with properly sized and operations in-ground passive-type grease interceptors which have been properly designed for retention of settleable solids. Garbage disposal units are prohibited in all other commercial or industrial facilities. Garbage disposal waste shall not be discharged into automatic electrical/mechanical grease removal systems.
- (8) Grease and oil traps or other interceptors shall be provided at the user's expense, when such user operates an establishment preparing, processing or serving food and/or food products. Grease interceptors can be required in other industrial or commercial establishments when they are necessary in the opinion of the Borough for proper handling of liquid waste containing oil and/or grease in amount in excess of 200 mg/l by weight fat soluble, or for any flammable waste and all such traps, tanks, chambers or other interceptors shall be of a type and capacity approved by the Borough and shall be readily and easily accessible for cleaning and inspection. All such interceptors shall be serviced and emptied of the waste content as required for the efficient operation, but not less often than every 30 days, in order to maintain the minimum design capability to intercept oils and greases from the waste water discharged to the publicly-owned sanitary sewer.
- (9) Waste removed from grease inceptors shall not be discharged into the publicly-owned sanitary sewer. The owner shall be responsible for the sanitary disposal of such waste. The owner shall keep a contemporaneous written

record stating the date of disposal, the name and address of the person or company handling such disposal and the disposal location.

- (10) A facility must keep interceptor cleaning records and disposal records on file a minimum of three years. The following information must be maintained: receipt for job performed signed by contractor, and cost, cleanout date, person responsible for cleaning, name of firm performing the cleanout, disposal method for and destination of material removed.
- (11) The owner must inspect and maintain oil and grease storage containers at least once a week and record in a maintenance log, the date and time of inspection, maintenance activity and the name of the individual conducting the activity. The maintenance activities that shall be documented in the maintenance log must include the following:
  - (a) Deterioration of the oil containers;
  - (b) Leakage and spills from the oil containers;
  - (c) Properly covered storage containers;
  - (d) When grease were emptied and by whom.
- (12) A facility must maintain a proper containment around the storage container and storage area.
- (13) The facility owner is not to utilize enzymes, bacteria, chemicals, etc. that would adversely affect the operation of the grease traps.
- (14) The facility owner is to document the cleaning of the exhaust system filters and record in a maintenance log the date and time of inspection, maintenance activity and the name of the individual conducting the activity. No filter cleaning is to be performed in an area not protected by a grease trap.
- (15) Notwithstanding the above, no interceptor or grease trap shall discharge amounts of grease into the public sewer system that are in excess of levels permitted by Allegheny County Sanitary Authority (ALCOSAN). In the event that ALCOSAN regulations are more stringent than those stated above, the ALCOSAN regulations and limits shall control.

- (16) In the discharge of duties, the Borough Code Enforcement Officer, Borough Engineer or other Borough designee shall have the authority to enter, during regular business hours, any restaurant, food preparation facility or other covered place or enterprise in the jurisdiction to enforce the provisions of this Ordinance.
- (17) The Borough may adopt and charge to the user of an interceptor or grease trap reasonable inspection fees to be set by Resolution in order to facilitate and enforce this Ordinance.

**Section 3. Penalties.**

- (1) Any person or user who is found to have failed to comply with the provisions of this section regarding grease traps may be fined up to \$1,000.00 per day per violation. Each day of violation shall be a separate offense.
- (2) Wherever a user has been notified of violation of the provisions of this section and section and has not abated the violation within the deadline as ordered by the Borough, the Borough may arrange with the water supplier for water service to the user to be severed and for service to recommence, at the user's expense, after the user has satisfactorily come into compliance. The user shall pay all water termination related charges of the water supplier.
- (3) In addition to the penalties and remedies contained herein, the Borough may take any action at law or in equity to seek redress for violation of this Ordinance.

**Section 4. Appeals and Modifications.**

- (1) Should the Borough determine any user to be in violation of these regulations, it may serve upon such person a written notice stating the nature of the violation. Within 20 days from the date of said notice, the user must supply to the Borough with a written explanation for the violation and a plan for the satisfactory correction of the violation and a schedule for coming into full compliance. Submission of such a plan does relieve the user of liability for any violation occurring before or after receipt of the notice of violation.

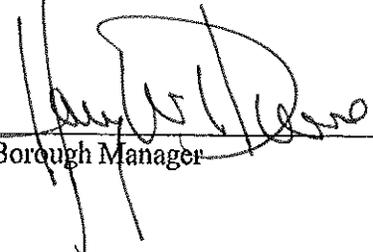
- (2) Any person aggrieved by the issuance of a violation notice under this Ordinance may file a written appeal to the Borough Manager within 20 days of such notice of violation requesting a Local Agency Law hearing. Upon the filing of such appeal, the Borough Council will provide for such a hearing and may assign a hearing officer to conduct a hearing, make findings of fact and recommendations, and/or to issue a determination. Any request for an appeal hearing shall be accompanied by a \$50.00 nonrefundable hearing fee and the applicant shall be responsible for payment of all costs incurred by the Borough in connection with the hearing, including but not limited to court reporter costs, costs of transcripts, cost of publication of notices, etc.
- (3) Upon written request from any person, the Borough Engineer may approve a modification of any substantive requirement herein, provided that such modification is needed to avoid undue hardship, adequate measures are taken to preserve the proper operation of the sanitary sewer system, and the modification poses no danger to the public health.

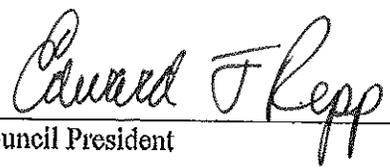
- III. Repeal. All ordinances and sections thereof inconsistent with this Ordinance are hereby repealed.
- IV. Severability. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid or unconstitutional by a Court of competent jurisdiction, such decision shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance.
- V. Effective Date. This Ordinance shall be effective five (5) days after recording in the Borough ordinance book.

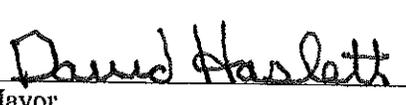
THIS ORDINANCE adopted by the Council of Avalon Borough at a duly assembled public meeting held this 21st day of August, 2012.

ATTEST:

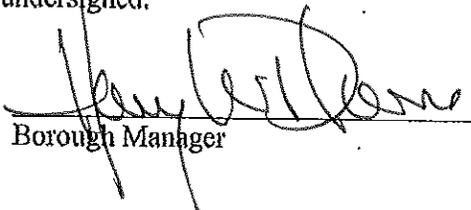
AVALON BOROUGH

  
\_\_\_\_\_  
Borough Manager

By:   
\_\_\_\_\_  
Council President

  
\_\_\_\_\_  
Mayor

This Ordinance recorded in the Borough Ordinance book on August 21, 2012, 2012 by the undersigned.

  
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Borough Manager