

## ORDINANCE # 2170-12

### A SPECIAL ORDINANCE OF THE CITY OF WOODBURY AMENDING THE CODE OF THE BOARD OF HEALTH OF THE CITY OF WOODBURY TO ESTABLISH REGULATIONS FOR THE CONNECTIONS WITH SANITARY SEWER, AS TO SANITARY GREASE TRAPS

In addition to the requirements as outlined in New Jersey Administrative Code (N.J.A.C.) 7:9A-8.1 and as authorized by New Jersey Statutes Annotated (N.J.S.A.) 26:3-69 et. seq. for sanitary grease traps.

**BE IT ORDAINED** by the City of Woodbury in the County of Gloucester and State of New Jersey as follows:

Ordinance #1912-01, enacted by the Mayor and Council on February 8, 2001, is hereby rescinded and vacated in its entirety and replaced with the following:

#### **Where required.**

Sanitary sewer grease traps shall be required to be installed on all existing and proposed commercial restaurants including, but not limited to, fast food restaurants and drive-thru establishments, cafes, tearooms, taverns, catering services, school cafeterias or any establishment that dispenses cooked or preprocessed food or any establishment that packages, cuts or processes raw meat.

#### **Requirements for existing establishments.**

Existing establishments shall have an approved outside grease trap installed and functional, to the satisfaction of the city Engineer, within one (1) [three hundred sixty-five (365) days] following the official passage of this article, Plans and specifications for these grease traps shall be submitted to the City Clerk's office within six (6) months following the official passage of this article. Denial or approval of said plans shall be made by notification from the Clerk's office within forty-five (45) days following submission. If said plans are denied, revision are to be submitted within sixty (60) days.

### **Requirements for new establishments.**

Before the issuance of any certification of occupancy by the City of Woodbury for any new food-dispensing establishment, there shall be installed and operational, to the satisfaction of the City Engineer, an outside grease trap conforming to the requirements of this article and pursuant to N.J.A.C. 7:9A-8.1. Before the issuance of any building permit by the City of Woodbury for any new food-dispensing establishment, there shall be shown on the approved development (site) plan an outside grease trap installation as approved by the City Engineer.

### **Trap Specifications.**

A. A grease trap shall be constructed pursuant to N.J.A.C. 7:9A-8.1 et. seq. and N.J.A.C. 7:9A-7.2. More specifically, the system and all its component parts shall be constructed and installed to conform in all details to the requirements set forth in the New Jersey Administrative Code and to the engineering design which has been approved by the Board of Health of the City of Woodbury. Departures from the approved design which become necessary due to circumstances which arise during construction and installation shall be approved by the design engineer and the Board of Health of the City of Woodbury in accordance with N.J.A.C. 7:9A-3.7 and shall meet or exceed the requirements of the New Jersey Administrative Code.

B. Offset clearances to other structures shall follow, as a minimum, the schedule established by the New Jersey Department of Environmental Protection for septic tanks; greater clearances, where necessary, shall be specified by the City Engineer.

C. Plans and specifications are to be drawn and designed by a New Jersey registered professional engineer. Four (4) copies of all design documents for review are to be submitted to the city Clerk's office. At the time of approval, a copy marked

“approved” and signed by the City Clerk, City Engineer and Water/Sewer Supervisor will be returned to the applicant with an approved permit.

**Permits; Fees.**

A. Permit for operation. Permits for the operation of grease traps will be issued and will only be valid for a period of one (1) year.

B. Initial construction and operation permit. Application for a permit to construct a sanitary sewer grease trap for either an existing or proposed (new) food-dispensing establishment shall be made to the City Clerk’s office on forms provided by that office. Permit fees to cover processing of application and engineering review and initial inspection shall be made as follows:

1. Permit processing fee as outlined in the City of Woodbury Fee Schedule.
2. Engineering review fee as outlined in the City of Woodbury Fee Schedule.

C. Application for a grease trap permit shall be made to the City Clerk’s office eleven (11) months following the date of previous permit issuance. Provided that the applicant has satisfactorily complied with the provisions of this article and N.J.A.C. 7:9A-8.1. et. seq., a permit renewal will be issued within twenty (20) days from the date of application. Failure of the applicant to have satisfactorily complied with this article and N.J.A.C. 7:9A-8.1. et. seq. during the previous permit period will result in denial by the City of the sanitary sewer grease trap permit, and the applicant will be so notified by the City Clerk’s office within twenty (20) days following the date of application.

D. Three (3) consecutive non-satisfactory reports filed in the Clerk’s office by the city Inspector shall be construed as failure to comply with this article and N.J.A.C. 7:9A-8.1. et. seq. for the purposes of permit renewal.

E. Application processing and municipal inspection fees shall be as follows:

1. Permit processing fee as outlined in the City of Woodbury Fee Schedule.
2. Municipal inspection fee as outlined in the City of Woodbury Fee Schedule.

F. Any commercial food-dispensing establishment required to have a sanitary sewer grease trap permit and operating without said permit shall be penalized an amount of three hundred dollars (\$300.00) per day for each day of operating past the time limits and schedules set forth in this article and N.J.A.C. 7:9A-8.1. et. seq.

G. Operation of food-dispensing business past the above ten (10) days without a valid permit will result in a closing of the sanitary sewer lateral leading from the place of business to the municipal sanitary sewer main located in the street or easement.

H. Any plumbing modification to existing food-dispensing establishments will incur the following:

1. Plumbing inspection fee as outlined in the City of Woodbury Fee Schedule

I. All fees outlined above must be paid at the time the applicant makes application to the City Clerk's office. Said fees will be held in Escrow.

**Inspection.**

Inspection of the approved grease trap installation, following the initial inspection by the City Engineer, shall be conducted by the city on a random and/or periodic basis, each inspection to be followed by an inspections report to be forwarded and filed in the City Clerk's office.

### **Maintenance.**

The approved grease traps shall be cleaned out a minimum of once every ninety (90) days. Validation of the routine cleaning shall be done on forms supplied and available at the City Clerk's office, said forms to be completed and forwarded to the Clerk's office within five (5) days following the cleaning of the grease trap. Failure to comply with the above time schedule for submission of forms validating periodic [ninety (90) days maximum] grease trap cleaning shall result in a penalty of one hundred dollars (\$100.00) per day for thirty (30) days commencing on the 95<sup>th</sup> day. Failure to comply shall result in a closing of the sanitary sewer lateral leading from the place of business to the municipal sanitary sewer main located in the street or easement. Should inspection reveal that the grease traps require more frequent cleaning than the minimum ninety-day period, the particular commercial operation shall be notified by the Clerk's office of a more stringent cleaning schedule requirement.

### **Liability for costs.**

Upon determination that the City has or will incur direct costs in the maintenance, repair, replacement, rehabilitation or modification of its sanitary sewer mains, laterals, manholes or appurtenances as a result of the failure of any property owner to maintain, repair, operate or establish a grease trap contemplated within this ordinance and N.J.A.C. 7:9A-8.1. et. seq., the City shall assess such property owner all such direct costs incurred or anticipated by the City by reason thereof including, but not limited to, all costs of contractors, employee wages, equipment rental value, insurances, administrative expenses, professional expenses, legal expenses and all legal expenses incurred in enforcement of this ordinance and N.J.A.C. 7:9A-8.1. et. seq. This provision shall be enforceable by the City by an action, at law or equity, in the Superior Court of New Jersey.

**PASSAGE.** This Ordinance shall become effective immediately upon passage and publication as required by law.

**THE FOREGOING** was introduced by the City Council of the City of Woodbury at its regular meeting held on December 10, 2012. This Ordinance will be considered for adoption at final reading and public hearing to be held on \_\_\_\_\_ at 7:30 P.M. or at such time as may be determined and announced, in City Hall, Council Chambers, 2<sup>nd</sup> Floor, 33 Delaware Street, Woodbury, New Jersey, at which time and place all persons interested will be given the opportunity to be heard concerning said Ordinance. During the time prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the City Clerk's office to the members of the general public who may request same.

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**HEATHER S. TIERNEY**  
President of Council

**ATTEST** \_\_\_\_\_  
**ROY A. DUFFIELD**  
Clerk

**APPROVED** \_\_\_\_\_  
**HARRY R. RISKIE**