

ORDINANCE #10-15
AN ORDINANCE AMENDING CHAPTER 15-9 ENTITLED
"GREASE INTERCEPTORS" OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF DENVILLE, MORRIS
COUNTY, NEW JERSEY

WHEREAS, §15-9 of the Township's current ordinance, which regulates grease interceptors, imposes an onerous and costly obligation upon business owners by requiring a contract with a solid waste hauler for the cleaning of grease interceptors; and

WHEREAS, cleaning of grease interceptors, particularly those sized for establishments generating minimal amounts of grease, does not require a solid waste hauler and can be performed by business owners; and

WHEREAS, evidence of grease interceptor cleaning and maintenance can be achieved by requiring on-site records including logs which reflect the date of service and receipts from a solid waste hauler detailing disposal of grease interceptor contents; and

WHEREAS, the current ordinance sets forth requirements for mobile tanks mounted on trucks or trailers used for cleaning of grease interceptors, an area that is regulated by the NJ Department of Environmental Protection.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Township of Denville as follows:

SECTION 1. Chapter 15-9, GREASE INTERCEPTORS, of the "Revised General Ordinances of the Township of Denville" is hereby amended in its entirety to read as follows:

"15-9 GREASE INTERCEPTORS.

15-9.1 Purpose.

- a. The purpose of this Chapter shall be to establish rules, regulations, and standards for grease interceptors so as to ensure proper maintenance, operation, and longevity of sanitary sewers in the Township and to ensure protection of the environment.

15-9.2 Definitions.

As used in this chapter the following words and terms shall have the following meanings:

- a. "Fats" shall mean substances that are primarily fatty acid esters of alcohol glycerol, also called acylglycerols, neutral fats or glycerides which are a major component in fat cells of plants and adipose cells of animals.
- b. "Retail food establishment" shall mean a business licensed by the Township Health Department to prepare, serve, or otherwise make foodstuffs available for human consumption with or without charge.
- c. "Grease interceptor" shall mean a device designed for removing and preventing fats, oils, and grease from entering the sanitary sewer and shall include "grease traps."
- d. "Grease trap" shall mean a devise for separating or retaining waterborne greases and grease complexes prior to wastewater exiting the trap and entering the sanitary sewer.
- e. "Grease" shall mean fats, waxes, free fatty acids, calcium and magnesium soaps, mineral oils, and certain other non-fatty material from animal or vegetable sources, or from hydrocarbons of petroleum origins, commonly found in wastewater from food preparation and food service.

15-9.3 Grease interceptor required.

- a. Retail food establishments which produce grease or oil laden wastes shall have grease interceptors as required in the New Jersey Uniform Construction Code 5:23, Subchapter 3.15, Plumbing Subcode as the same may from time to time be amended and supplemented.

15-9.4 Grease interceptor registration required.

- a. No grease interceptor shall be operated until a registration has been obtained from the Township Health Department by the owner of the establishment wherein the grease interceptor is operated.

- b. Registrations shall be required for each grease interceptor operated and shall be renewed annually.
- c. Registrations shall not be transferable between owners, businesses, or grease interceptors.
- d. Registrations shall be displayed conspicuously in public view, at eye level, and adjacent to the establishment's retail food establishment license
- e. Initial and renewal registrations shall require completion of an application promulgated by the Township Health Department and submission of a fee as set forth in Chapter 2A.
- f. Renewal applications shall include the following:
 - (1) An interceptor maintenance log for the last 12 months detailing cleaning with the date, specific interceptor, and person or licensed solid waste firm performing maintenance;
 - (2) Copies of manifests, receipts, or other documentation confirming proper disposition of grease interceptor waste by a solid waste transporter.

15-9.5 Grease interceptor requirements.

- a. Grease interceptors shall be installed in accordance with the New Jersey Uniform Construction Code 5:23, Subchapter 3.15, Plumbing Subcode as the same may from time to time be amended and supplemented.
- b. Grease traps shall have the grease retention capacity as indicated in the Plumbing Subcode, in accordance with N.J.A.C. 5:23-3.15 and as the same may be from time to time be amended and supplemented.
- c. Grease interceptors shall be inspected, cleaned, and emptied at a frequency adequate to prevent the volume of grease from exceeding the grease interceptor's grease retention capacity.
- d. Cleaning and emptying of grease interceptors shall be carried out in a manner that will prevent spillage of the interceptor's contents upon the ground. If spillage should occur, the area of the spill shall be disinfected using a suitable chlorine-based compound.

- e. All containers used to temporarily store grease interceptor waste shall have tight fitting lids so as to prevent spillage of contents and the attraction of vermin. All indoor or outdoor storage areas wherein said containers are located shall be maintained in a sanitary manner at all times.
- f. All containers used to temporarily store grease interceptor waste shall be removed from the premises by a licensed solid waste transporter. All containers shall be removed and/or serviced by a licensed solid waste transporter at regular intervals so as to prevent odors, attraction of vermin, and nuisances.
- g. Grease interceptor logs and documentation required for renewal of grease interceptor registrations shall be kept on the premises for a minimum of three (3) years and be available for inspection by authorized Township officials.
- h. No emulsifiers, de-emulsifiers, surface active agents, enzymes, degreasers, or any other grease liquefying agent shall be placed directly into grease interceptor to liquefy waste and/or in lieu of proper removal of waste.

15-9.6 Revocation or suspension of grease interceptor registrations.

- a. The Health Officer may revoke a grease interceptor registration if the holder is found to be in violation of this chapter and fails to provide access to any authorized Township Official for the purpose of inspection or monitoring of a grease interceptor.

15-9.7 Violations and penalties.

- a. Where a blockage occurs in any sanitary sewer line due to the accumulation of grease, the licensed sewer operator, Public Works Director, and/or Assistant Superintendent of Public Works or his/her designee shall certify in writing to the Health Officer the identity of the retail food establishment which caused the blockage.
- b. The Township Health Officer or his/her designee shall issue a summons to the owner of the retail food establishment that is in violation of this ordinance.

- c. Any person who shall violate or fail to comply with the requirements of this chapter shall, upon conviction, be subject to the penalties set forth in §3-1.1 of the Code of the Township of Denville. Each violation shall be deemed a separate and distinct offense. Said penalty shall be in addition to and not in lieu of any other remedy or penalty as provided by law.

15-9.8 Enforcement.

- a. This chapter shall be enforceable by the Health Officer or his/her designee, the Township Plumbing Inspector, Director of Public Works, and Assistant Superintendent of Public Works.”

SECTION 2. All Ordinances of the Township of Denville that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. The provisions of this ordinance may be renumbered for purposes of codification.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST:

**TOWNSHIP OF DENVILLE
COUNTY OF MORRIS
STATE OF NEW JERSEY**

Kathryn M. Bowditch, RMC
Municipal Clerk

Thomas Andes, Mayor
Township of Denville