

ORDINANCE NO. 02-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SUNSET BEACH SANITARY DISTRICT

SECTION 1: The Board of Directors of the Sunset Beach Sanitary District hereby finds and declares as follows:

- A. Commercial kitchens produce grease as a by-product of their operation, which if disposed of by discharging the grease to the sanitary sewer system, creates the potential for blockage to the District's sewer system, resulting in damage to both public and private property, and spillage that has the potential to create a public health hazard, damage the water quality as well as the environment in the Sunset Beach area.
- B. The current edition of the Uniform Plumbing code required new commercial kitchens that have the potential to produce a significant amount of grease to have grease control devices. In the Sunset Beach Sanitary District's service area, there are several commercial kitchens that do not have grease control devices. Presently these commercial kitchens that do not have grease control devices require the District to do additional preventative maintenance on sewer lines as well as respond to and clean up blockages and spillages that may be caused by improper grease disposal.
- C. The District Board of Directors in July, 1999, did not initially wish to impose cost-prohibitive new grease disposal requirements on these existing commercial kitchens until the District had more time to establish an equitable grease control program that all the commercial kitchens could implement in a timely manner. However, in July, 1999, The Board of Directors felt that these establishments should assist the District in paying for additional sewer cleaning costs incurred by the District in those particular portions of the District's sewer system directly affected by the discharge of grease by these commercial kitchens until such time these establishments come into full compliance with the District's grease control policy.
- D. Residential and office uses, discharges substantially smaller quantities of grease into the District's sewer system than commercial kitchens. The provisions of this Ordinance do not apply to those uses since they do not cause frequent blockages or require additional preventative maintenance of the District's sewer lines.

SECTION 2: Intent and Purpose

It is the intent of this Section to establish regulations for the disposal of grease and other insoluble waste discharges from commercial kitchens within the service area of Sunset Beach Sanitary District. The District Board of Directors, in enacting this Ordinance, intends to provide the maximum beneficial public use of the District's sewer system, to prevent blockage of the sewer system and accidental discharge of grease, to ensure the cost of maintaining the District's sewer system is equitably distributed amongst users, to clarify grease disposal requirements for existing commercial kitchens, and to promote public health and safety.

SECTION 3: Definitions

- A. Board of Directors. The legislative body of elected officials to make and enforce all necessary and proper regulations as established by law and as set forth in the Statutes of the State of California Health and Safety Code, Sections 6510 et seq, Sanitary District Act of 1923.
- B. Commercial Kitchen. Shall mean any business operating in the Sunset Beach Sanitary District service area as a full service or take-out restaurant, catering kitchen, employee cafeteria, or any other facility engaged in preparing and heat-processing food for consumption by the public or employees and which uses equipment that produces grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood. Establishments engaged only in assembling or serving food that is prepared entirely off site, and whose kitchen equipment consist only of beverage warmers and microwaves are not to be considered commercial kitchens.
- C. District Engineer. Shall mean the person as designated by the Boards of Directors.
- D. Grease. Shall mean any oil, fat, or oily, fatty substance such as vegetable or animal fat that turns or may turn viscous with a change in temperature or other conditions.
- E. Grease Control Device. Shall mean any grease interceptor, grease trap or other mechanism which attaches to wastewater plumbing fixtures for the purpose of collecting grease for off-site disposal rather than disposal with the wastewater to the public sewer.
- F. Grease Interceptor. Shall mean an underground multi-compartment device installed to reduce the amount of grease from a commercial kitchen of a size and design in compliance with the Uniform Plumbing Code and as approved by the District. A minimum capacity of 750 gallons shall be required unless a variance therefrom is approved by the Board of Directors. Every interceptor shall be of proper design and of adequate size to prevent sand, silt, grit, mineral material, petroleum solvent, grease or oil from entering the sewer. The size and design shall be approved by the District's Engineer.

SECTION 4: Grease Control Device Requirements

- A. All commercial kitchens shall have grease interceptors as required by the Uniform Plumbing Code and by the District, except as otherwise provide for in this Section.
- B. All existing commercial kitchens shall have grease interceptors installed and operational by June 1, 2003, with the following exceptions:
 - (1) A grease interceptor shall not be required by June 1, 2003, if the Board of Directors determine that the food service establishment is not a generator of grease.
 - (2) A grease interceptor shall not be required by June 1, 2003, if the food service establishment is following and in full compliance with the Best Management Practice (BMP) as set forth in Section 7 herein.

SECTION 5: Maintenance of Grease Control Devices

- A. Each commercial kitchen with a grease control device shall employ an appropriate service or procedure for periodic collection of accumulated grease from any grease control device. No accumulated grease shall be discharged or introduced into the District's sewer system, public storm drain, or public way.
- B. Each commercial kitchen with a grease control device shall be required to keep records of cleaning, maintenance and grease removal.
- C. Each commercial kitchen with a grease control device shall allow District's representatives access to the premise, by appointment during normal business hours, for the purposes of sampling, inspections, and review of records relating to the grease control device and grease control practices.
- D. The District Engineer shall approve the type, capacity and construction of all interceptors in writing prior to installation. Approved plans and specification shall not be changed or altered without written approval by the District Engineer.
- E. Grease Interceptors shall be installed, utilized, and properly maintained for continuous and efficient operation at all times and at the expense of the owner.

SECTION 6: Food Grinders Prohibited

- A. Food grinders shall be removed from all existing food service establishments by December 1, 2002.
- B. After December 1, 2002, food grinders shall be prohibited in all new and existing food service establishments.
- C. All food waste previously disposed of by food grinders shall be disposed of in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors. Disposal of food waste into trash bins or containers shall be in a manner not create a nuisance, odors, or attract rodents or insects.

SECTION 7: Best Management Practices (BMP)

In lieu of installing a grease interceptor as required in Section 4 herein, a food service facility that is a grease generator may apply for an exemption if the owner/operator of the facility commits to a Best Management Practice program as outlined below and approved by the Board of Directors:

- (a) All waste cooking oil shall be collected and stored properly in recycling barrels or drums,
- (b) Such recycling barrels or drums shall be maintained appropriately to ensure they do not leak,

- (c) Licensed haulers or an approved recycling facility must be used to disposed of waste cooking oil,
- (d) Drain screens shall be installed on all drainage pipes for existing food service establishments by December 1, 2002,
- (e) Employees of food service establishments shall be trained by September 1, 2002, and twice each year thereafter, on the following subjects:
 - (A) How to "dry wipe" pots, pans, dishware and work areas before washing to remove grease,
 - (B) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leakage, odor nuisance, and prevention of rodents and insects,
 - (C) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped,
 - (D) How to properly dispose of grease or oils from cooking equipment into a grease barrel or drum without spilling.
- (f) Employee training shall be documented and employee signatures indicating each employee's attendance and understanding of the BMP practices. These records must be available for review at any time by a representative of the District.
- (g) All BMP shall be posted conspicuously in the food preparation and dishwashing areas at all times.

SECTION 8: Exemptions from installation of Grease Interceptors

All food service establishments desiring to be exempt from installing a grease interceptor as specified in Section 4 herein, shall file a request for an exemption from the requirement to install a grease interceptor on or before July 1, 2002. All request shall be address to:

Board of Directors
Sunset Beach Sanitary District
P.O. Box 1185
Sunset Beach, CA 90742

The Board of Directors may approve an exemption as detail in Section 4 for:

- (1) Food service establishment that produces or generates NO grease that would be discharged to the District's sewer system, or
- (2) Food service establishment agrees to implement a BMP program. A food service establishment desiring to be exempt from the requirement of installing a grease

interceptor shall submit, with the request for exemption, a detail outline of the BMP to be implemented by the facility.

The Board of Directors shall respond to all request within 60 days of receipt. If the request is denied, the food service establishment shall be required to install a grease interceptor as specified in Section 4 herein.

SECTION 9: Violations for penalties; enforcement

- (a) Violations of this Ordinance may result in fines, penalties, and/or the requirement to install a grease interceptor, or disconnection of sewer service.
- (b) Violations of this Ordinance could include one or more of the following:
 - (1) Failure to install a grease control device as required by this Ordinance,
 - (2) Making of false statements, representation, record, report, plan or other document filed with the Board or District Engineer,
 - (3) Tampering with or knowingly renders inoperable any grease control device required under this Ordinance,
 - (4) Failure to properly maintain, clean and record keeping of grease elimination or control practices and/or program
- (c) Failure to comply with the provisions of this Ordinance may result in one or more of the following:
 - (1) Notices of non-compliance may be issued with a specific period for correction,
 - (2) Violators, who have been exempted from the installation of a grease interceptor, may be required to install a grease interceptor within six (6) months of notification,
 - (3) Failure to install a grease interceptor within the required time frame, may result in the disconnection of sewer service,
 - (4) Any request for extensions to required installation dates must be in writing to the Board, at least thirty (30) days in advance of the established deadline. The Board may grant an extension of up to ninety (90) days, but only upon a showing that the food service establishment cannot reasonable install an interceptor by the specified deadline and will take all necessary measures to minimize the amounts of grease it discharges into the sewer collection system until such grease interceptor is installed.

- (5) Failure to comply with a notice of non-compliance within the time frame specified, may result in the assessment of administrative fines up to \$500 per day for each day of non-compliance.

SECTION 10: Validity of Ordinance


In any section, subsection, subdivision, sentence, clause or phase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the validity of this entire Ordinance or any of the remaining portions hereof.

SECTION 11: Exemption from the California Environmental Quality Act (CEQA)


This Ordinance is exempt from compliance with the California Environmental Quality Act pursuant to Section 15061 (3) of the State CEQA Guidelines.

This Ordinance was introduced at the regular meeting of the Board of Directors of the Sunset Beach Sanitary District held on April 11, 2002 and adopted on the 9th day of May, 2002 by the following vote to wit:

AYES, BOARD MEMBERS



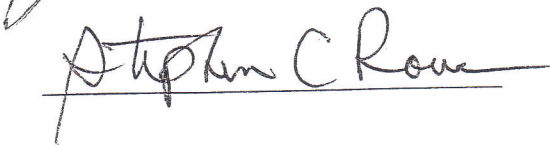
NOES, BOARD MEMBERS



President of the Board of Directors



Secretary of the Boards of Directors



This Ordinance shall become effective on the expiration of thirty (30) days from and after its adoption.