

TOWNSHIP OF TINICUM, DELAWARE COUNTY, PA

ORDINANCE NO. 2017-889

AN ORDINANCE OF THE TOWNSHIP OF TINICUM, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 45 SANITARY SEWERS, PROVIDING ARTICLE VI FATS, OILS AND GREASE CONTROL; PROVIDING FOR INSTALLATION AND MAINTENANCE OF GREASE TRAPS, GREASE AND OIL INTERCEPTORS; AND PROTECTION OF THE TINICUM TOWNSHIP'S SEWAGE AUTHORITY SYSTEM; FURTHER PROVIDING FOR FEES FOR VIOLATIONS

BE IT ORDAINED AND ENACTED by the Township of Tinicum, County of Delaware, Commonwealth of Pennsylvania, as follows:

§45-41. **PURPOSE**

The purpose of this Ordinance is to set forth policies, procedures and requirements concerning the governing the installation, maintenance and use of grease traps, oil and grease interceptors or other comparable devices controlling the discharge of fats, oil and grease from food service facilities and other businesses discharging into the Tinicum Township Delaware County Sewage Authority system.

§45-42. **DEFINITIONS**

ABNORMAL INDUSTRIAL OR COMMERCIAL WASTE – Any industrial or commercial waste having suspended solid content or B. O. D. in excess of that normally found in sanitary sewage. For purposes of these regulations, any industrial or commercial waste containing more than three hundred fifty (350 mg) milligrams per liter of suspended solids, or have a B. O. D. in excess of three hundred (300 mg) milligrams per liter shall be considered abnormal industrial or commercial waste regardless of whether or not it contains other substances in concentrations differing from those normally found in sanitary sewage. The determination of normal industrial or commercial waste shall be determined by the Township Engineer.

AUTHORITY - The Tinicum Township Delaware County Sewage Authority, including its representatives, agents, employees, engineer.

FOG - Fats, oils and grease created as a by-product of cooking.

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 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 sewage system.

GREASE INTERCEPTOR – means a device designed and installed to separate and retain deleterious, hazardous or undesirable matter from normal waste and to permit normal sewage or liquid waste to discharge into the disposal system by gravity.

GREASE TRAP – An apparatus located inside a food service establishment that collects and contains the fats, oils and grease and removes a significant portion of it from the waste water to be discharged.

INDUSTRIAL WASTE – Any solids, liquids or gaseous substances or forms of energy ejected or escaping in the course of any industrial manufacturing trade or business use or process, or in the course of development, recovering or processing of natural resources, as distinct from but not sanitary sewage.

OIL AND GREASE INTERCEPTOR – An apparatus located outside a food service establishment that collects and contains the fats, oils and grease and removes a significant portion of it from the waste water to be discharged.

PERSON - includes natural persons, partnerships, companies, societies, trusts, associations, corporations, public or private.

PROPERTY - Real property situated within the Township of Tinicum served by its Sewage system.

PROPERTY OWNER - Any person that owns property connected to the Township of Tinicum Municipal Sewage System.

SANITARY SEWAGE – The natural water carried household and toilet waste from residents, business buildings, institutions, and industrial and commercial establishments, exclusive of stormwater runoff, surface water or ground water.

SEWAGE - A combination of water carried waste from residents, business buildings, institutions, and industrial and commercial establishments, together with such ground, surface or storm water as may be present.

§45-43. **LIMITATION OF FATS, OILS AND GREASE**

No person shall discharge into the Township of Tinicum Sewer System any sanitary sewage or industrial or commercial waste containing more than one hundred

(100 mg) milligrams per liter by weight of fat, oil or grease (collectively "FOG"). Any single discharge in excess of this limitation shall be a single violation of this Ordinance. More than one (1) violation may occur in a single day, depending upon the amount and frequency of the grease discharge.

§45-44. LIMITATION OF ABNORMAL INDUSTRIAL OR COMMERCIAL WASTE

No person shall discharge into the sewer system any abnormal industrial or commercial waste. Any single discharge in excess of this limitation shall be a single violation of this Ordinance. More than one (1) violation may occur in a single day, depending upon the amount and frequency of the abnormal industrial or commercial waste discharge.

§45-45. EXCESS OF LIMITS

The Township may compel discontinuance of the use of the sewage system for discharge of such unacceptable grease or abnormal industrial waste, or to require pretreatment and/or equalization of flow thereof and installation of grease traps or oil and grease interceptors to prevent harmful or adverse effects upon the sewer system. The design, construction and operation of such pre-treatment and/or flow equalization facilities, grease traps and/or oil and grease interceptors shall be made at the sole expense of the property owner and/or person discharging said unacceptable grease wastes in accordance with this Ordinance, and shall be subject to the approval of the Township.

§45-46. PLUMBING TO BE IN GOOD REPAIR

Every food service establishment or other business discharging FOG shall be well drained. All soil pipes, waste pipes, drains or other plumbing fixtures shall be of adequate size to enable a passage of any waste intended to pass through it to the main sewer system. All drains, sewers, waste and soil pipes, traps and water in gas pipes shall, at all times, be kept in good repair and order so that no gases or odor shall escape therefrom and so that the same shall not leak, and all vent pipes shall be kept in good order and repair free from obstruction.

§45.47. INSTALLATION OF OIL AND GREASE INTERCEPTORS AND TRAPS

1. Within one hundred eighty (180) days of the Effective Date of this Ordinance, every food service establishment and other businesses discharging FOG or similar material, whether new or existing, shall install or cause to be installed a grease interceptor or grease trap. The type of installation shall be determined by the total fixture flow-through rate of potential grease-laden fixtures discharging through the property sewer lines as determined by the Township of Tinicum or

its designated representative. For flow-through rates thirty-five (35) gallons per minute or less, an internal grease trap may be installed in certain existing properties used as food service establishments and food preparation facilities. For flow-through rates exceeding thirty-five (35) gallons per minute, an external underground oil and grease interceptor must be installed in all new or existing properties or changes of use involving food service establishments or businesses discharging FOG or similar material. In any case, the grease trap or oil and grease interceptor shall be designed to and shall actually accomplish the limitation of FOG as required by this Ordinance.

2. Said grease trap or oil and grease interceptor shall be installed at an appropriate location along the sewer connection line between the food service establishment and the entry of the line into the main sewer system. An inspection site tee shall be installed between the interceptor discharge and shall connect to the sanitary sewer system. This sewer connection line shall be separate and distinct from domestic wastewater. Only FOG latent wastewater shall be directed to the grease trap or FOG interceptor tank.
3. No solid waste devices, such as waste grinders, disposals, potato peelers, etc., shall discharge through the grease trap or oil and grease interceptor. Only potentially grease-laden fixtures may discharge through the trap or interceptor.
4. In any existing food service establishment where there is a change of use or change of ownership, the property owner shall be required to provide updated information on the ownership and use to the Township. In such case, the current grease trap or oil and grease interceptor on the property shall be inspected to ensure that it meets the requirements of this Ordinance. To the extent that it may be necessary to meet ordinance compliance, the property owner may be required to modify the existing or install a new grease trap or oil and grease interceptor as may be appropriate and in accordance with Section 45-47. above.
5. All grease traps or oil and grease interceptors shall meet and shall be installed in accordance with all applicable laws, including but not limited to, the Uniform Construction Code.

§45-48. MAINTENANCE OF OIL AND GREASE INTERCEPTORS AND TRAPS

1. All oil and grease interceptors and grease traps shall be maintained and kept in good working order at all times. The oil and grease interceptor or grease trap shall limit the amount of grease discharged into the sewer system to levels not exceeding those permitted by the Township of Tinicum. Grease discharges shall not exceed one hundred (100) parts per million downstream of the oil and grease interceptor or grease trap.

2. It shall be the duty and responsibility of any property owner, lessee or agent of any food service establishment to obtain at their expense, and, at a minimum semi-annually, inspect the oil and grease interceptor or grease trap. Such efforts shall be accomplished by a duly qualified business or company approved by the Pennsylvania Department of Environmental Protection (Pa.DEF) as a waste disposal hauler. A written record shall be kept of all inspections and grease removal. The inspection report shall, at a minimum, list the company name, company representative, address and phone number of the company, the method and frequency of cleaning schedule and the date of cleaning/inspection. Such records shall be presented to the Township upon request. A more frequent cleaning/inspection schedule shall be performed at the property when it is determined by the Township that the property is discharging excessive amounts of grease to the Sewage system.

§45-49. MODIFICATIONS

The requirements of this Ordinance may be modified upon the written request of a property owner and the written approval by the Township Engineer, if such modification meets the requirements and intent of this Ordinance. Preference will be given to the utilization of new technology when modifications are requested.

§45-50. SUSPENSION OR TERMINATION OF PERMIT

The Township shall have the discretion to terminate or cause to be terminated the Occupancy 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.

§45-51. PENALTIES AND VIOLATIONS

1. Any person who violates or fails to comply with any provision of this Ordinance shall be subject to the following fines, which may be amended, as needed, from time to time, by ordinance or resolution:

a. Fine Fee Schedule.

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| i. First offense: | \$500.00 |
| ii. Second offense: | \$750.00 |
| iii. Third and subsequent offenses: | \$1,000.00 |

2. In addition to the above fines, the property owner shall pay, or reimburse the Township for, all cleanup costs, any costs to remedy any damages incurred, any inspection costs, and the costs of prosecution, including filing fees, and any engineer, attorney, employee or representative fees, and any other Township expenses related to the violation (the "Expenses"). If the owner fails to pay the expenses, then the expenses shall be collectible from the property owner by any method available at law or in equity, including a municipal lien.
3. If the property owner desires to undertake the efforts to remedy any violation, it may do so upon approval of and subject to supervision by the Township Engineer.
4. Any property that is in violation of this Ordinance may be subject to additional inspections at the discretion of the Township.
5. Upon the third (3rd) violation on any property, the property owner shall be required to implement the services of a professional grease disposal company (the "company"). A program shall be implemented with the company, subject to approval by the Township, that will provide for monthly inspection and maintenance of the grease trap, as well as periodic removal of the grease therefrom (the "maintenance program"). In such case, the property owner shall provide documentation including receipts and reports and other documents as requested to evidence that the maintenance program remains in effect. The maintenance program shall remain in effect until the property owner demonstrates continued compliance with all ordinances and requirements regarding the sewage system and grease trap, for a minimum term of two (2) years. Thereafter the property owner may request to discontinue the maintenance program by submitting such a request to the Township in writing. The Township may authorize discontinuance at its reasonable discretion.

§45-52. **SEVERABILITY**

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid such unconstitutionality, illegality or invalidity shall not effect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Commissioners that this Ordinance would have been adopted have the unconstitutional, illegal or invalid sentence, clause, section, or part thereof, not been included therein.

§45-53. **REPEALER**


All Ordinances or part(s) of Ordinances which are insistent herewith are hereby repealed and/or replaced.

§45-54. **EFFECTIVE DATE**

This Ordinance shall become effective upon adoption.

ORDAINED and ENACTED this 14th day of April, 2017, by the Board of Commissioners of the Township of Tinticum, Delaware County, Pennsylvania.

Township of Tinticum



Thomas J. Giancristoforo, Jr., President
Board of Commissioners

ATTEST:



Elaine Brolley, Township Secretary