

CHARTER TOWNSHIP OF ALLENDALE

ORDINANCE NO. 2019-7

GREASE TRAP ORDINANCE

AN ORDINANCE TO REGULATE AND PROVIDE FOR THE MAINTENANCE AND INSPECTION OF GREASE TRAPS; TO PROVIDE PENALTIES FOR THE VIOLATIONS OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

ALLENDALE CHARTER TOWNSHIP, COUNTY OF OTTAWA, STATE OF MICHIGAN, ORDAINS:

Section 1. Title. This Ordinance shall be known as and may be cited as the “**Allendale Charter Township Grease Trap Ordinance.**”

Section 2 Definitions. For purposes of this Ordinance, the words and phrases defined in subsections (A) and (B), inclusive, shall have the meanings ascribed to them in those subsections. These definitions, unless the context requires otherwise, apply to the use of these defined words and phrases in this Ordinance.

(A) “**Grease Trap**” means a device designed to intercept, separate and retain fats, oils, and grease from liquid waste and permits the liquid waste to discharge into the sanitary sewer system.

(B) “**Customer**” means the owner of the premises and/or the person or entity having possession of the premises served by public sanitary sewer.

Section 3 Grease Traps.

(A) Installation. Grease Traps shall be installed at the sole expense of the Customer under any of the following circumstances:

(1) if the Township determines they are necessary for the proper handling of liquid wastes containing grease in excessive amounts; or

(2) if the Township, State of Michigan, or County of Ottawa regulations or plumbing codes require such installation; or

(3) if the Township determines that existing installations are inadequate to protect the sewer system.

(B) Drainage Requirements. A grease interceptor shall be required to receive the drainage from fixtures and equipment with grease-laden waste located in food preparation areas, such as by way of example restaurants, hotel kitchens, hospitals, school kitchens, bars, factory cafeterias and clubs. Fixtures and equipment shall include such things as pot sinks, pre-rinse sinks, soup kettles or similar devices, work stations, floor drains or sinks into which kettles are drained, automatic hood wash units and dishwashers without pre-rinse sinks. Grease interceptors shall receive waste only from fixtures and equipment that allow fats, oils or grease to be discharged.

(C) Design Standards. All grease traps shall be of a type and capacity approved by the Township and shall be located so as to be readily accessible for cleaning and inspection.

Grease Traps shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gas-tight and watertight. Grease Traps shall be installed in compliance with current plumbing codes adopted by the Township. There shall be ample room and reasonable access to interceptors to allow accurate sampling and preparation of samples for transport and analysis. After the effective date of this Ordinance, all newly constructed Grease Traps shall be accessible for maintenance and cleaning outside of enclosed buildings and in a place that is easily accessible for that purpose.

(D) Inspection. After a newly constructed Grease Trap has been inspected by the plumbing inspector, the Customer responsible for maintaining the Grease Trap shall contact the Township or its designee to arrange for an initial inspection and registration to facilitate the administration of the requirements of this Ordinance.

(E) Maintenance. The Customer shall maintain Grease Traps at their expense, in continuously efficient operation at all times. Grease shall be removed from a Grease Trap in a manner and in accordance with the requirements of the United States Environmental Protection Agency, the Michigan Department of Environmental Quality, and this Ordinance. The Township and its agents shall have the right to require evidence of records of maintenance and disposal related to the operation of Grease Traps and

oil and sand interceptors or to inspect said records without prior notification.

(F) Maintenance. No later than the *ninety (90)* days following the effective date of this Ordinance, the Customer for whom Grease Traps are required shall arrange for and carry out the inspection, cleaning and maintenance of the device by a licensed qualified contractor and shall submit to the Township or its designee, within ten (10) days of the inspection, cleaning, and maintenance, a report of such inspection, cleaning and maintenance on a form approved by and acceptable to the Township. The report shall be signed by the contractor and thereafter repeat this inspection, cleaning, maintenance, and reporting every ninety (90) days. The Township or its designee, in its sole discretion, may determine that conditions on the premises of a user require cleaning and/or maintenance more often or less often than every ninety (90) days. Said determination shall be in writing and signed by the Township or its designee. The Customer shall accomplish said reporting by requiring the contractor to forward a copy of the receipt and statement of services rendered directly to the Township or its designee. The receipt and statement must state:

(1) the condition of the operation (“adequate” or “inadequate”);

(2) whether the inlet and outlet of the Grease Trap was open or closed;

(3) whether the Grease Trap and appurtenances required jetting and whether this service was refused; and

(4) what services were rendered.

(G) Cleaning Requirements. Regular Grease Trap pumping and cleaning requires pumping out all liquids and solids and not leaving any pumpable material remaining in the trap. No decanted liquid from the pumped Grease Trap shall be returned to the Grease Trap.

(H) Administrative Charge. An Administrative Charge, in an amount established by resolution of the Allendale Township Board, shall be levied against a Customer for each month or portion of a month following the date by which the required report is not submitted. Failure to provide the report or failure to pay any Administrative Charge shall be grounds for disconnection of the premises by turning off the public water supply or other means, in addition to all other remedies provided by law and ordinance.

(I) Failure to Provide Report. In the event that the licensed contractor fails to provide the required report, and notice of said failure is provided to the owner of the premises, the Township or its designee shall accept written evidence of the services provided from the owner, in the form of a copy of the inspection and report of services provided by the licensed contractor. Said written evidence must be provided within ten (10) business days of the first class mailing of the notice.

Section 4 Penalty – Municipal Civil Infraction.

Any violation of, refusal to comply with, or resistance to the enforcement of this Ordinance shall be a municipal civil infraction, and shall be subject to the enforcement procedures set forth in Municipal Civil Infraction Ordinance and a fine of fifty (\$50.00) dollars, plus costs and other sanctions, for each infraction. Increased civil fines shall be imposed for repeated violations of this Ordinance; a repeat violation means a second or subsequent municipal civil infraction violation committed within any 12-month period and for which the violator admits responsibility or is determined to be responsible. The increased civil fine for repeat violations shall be as follows:

- a. The fine for any offense which is a first repeat offense shall be \$250.00, plus costs and other sanctions;
- b. The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be \$500.00, plus costs and other sanctions.

Members of the Ottawa County Sheriff's Department assigned to the Township, members of the Ottawa County Sheriff's Department whose services are contracted for by the Township, or other persons designated by the Township Board as Township Ordinance Enforcement Officers for this Ordinance are hereby designated as Authorized Township Officials to issue municipal civil infraction citations (directing alleged violators to appear in court) or municipal civil infraction violation notices (directing

alleged violators to appear at Allendale Charter Township Municipal Ordinance Violations Bureau) as provided in the Municipal Civil Infraction Ordinance adopted by the Township.

Section 5 Severability and Captions.

This Ordinance and the various sections, subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected thereby. Pronouns shall be read as masculine, feminine or neuter as may be appropriate. Captions appearing at the beginning of any section shall not be deemed a part of this Ordinance and shall have no independent significance.

Section 6 Repeal.

All ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance as of the effective date of this Ordinance are hereby repealed to the extent of such conflict.

Section 7 Effective Date

This Ordinance was approved and adopted by the Township Board of the Charter Township of Allendale, Ottawa County, Michigan, on June 10, 2019, after introduction and a first reading on May 28, 2019, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective on July 1, 2019.

ORDINANCE DECLARED ADOPTED.

Dated: June 10, 2019

Adam Elenbaas, Supervisor

Laurie Richards, Township Clerk

CERTIFICATE

I, the undersigned, the duly qualified and acting Township Clerk of the Charter Township of Allendale, Ottawa County, Michigan, do hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board at a regular meeting of the Township Board held on the 10 day of June, 2019. I further hereby certify that public notice of said meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of the meeting were kept and will be or have been made available as required by said Act.

Laurie Richards,
Allendale Charter Township Clerk