

**ORDINANCE OF THE TOWNSHIP OF DEPTFORD REQUIRING AND REGULATING
THE USE OF GREASE TRAPS**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Deptford is authorized to enact ordinances for the preservation of the public health, safety, and welfare of the Township and its citizens; and

WHEREAS, pursuant to N.J.S.A. 40:14B-2, it is the public policy of this State to foster and promote the collection, disposal, and recycling of waste, including sewage sludge, in an environmentally responsible manner, as well as the relief of lands in or bordering the State from pollution, from domestic, industrial, and other sources and thus the reduction and ultimate abatement of the menace to the public health resulting from such pollution; and

WHEREAS, in various occurrences throughout the State of New Jersey the accumulation of grease caused the blockage of sewage systems and the spillage of raw sewage onto the lands and waters of these municipalities; and

WHEREAS, the unregulated introduction of grease and fats from commercial and industrial establishments which dispense cooked or preprocessed food or which package, cut, or process raw meat into the sewage system of the Deptford Township Municipal Utilities Authority presents the unacceptable risk of blockage of said system, and consequently the spillage of untreated sewage upon the lands and waters of the Township; and

WHEREAS, the Township Council of the Township of Deptford has determined that it is necessary to require and regulate the use of grease traps.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF DEPTFORD, that the following new section be added to the Code of the Township of Deptford:

§ 24.1 Purpose; Objective; Applicability

- A. The purpose of this section is the regulation of the generation and disposal of grease interceptor / grease trap waste for the protection of the Deptford Township Municipal Utilities Authority (“DTMUA”) and the environment.
- B. The objection of this section is to reduce the operation and maintenance costs of maintaining the DTMUA by preventing the accumulation of grease within the collection system lines.
- C. This section shall apply to the Township of Deptford and to persons outside the Township who, by contract or agreement, are users of the DTMUA.

§ 24.2 Implementation and Enforcement; Compliance Investigation

Except as otherwise provided herein, the Township shall implement and enforce the provisions of this section. The Township Clerk, Township Engineer, Director of Public Works, Code Enforcement

Officer, and persons designated and under the instruction and supervision of any of them, may investigate compliance of this section.

§ 24.3 Grease Traps Required at Commercial Restaurants; Requirements for New and Existing Establishments

- A. 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.
- B. Establishments existing and operating as of the date of the effectiveness of this section shall have an approved outside grease trap installed and functional, to the satisfaction of the Township 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 Township 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.
- C. Before the issuance of any certification of occupancy by the Township for any new food-dispensing establishment, there shall be installed and operational, to the satisfaction of the Township 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 Township of Deptford for any new food-dispensing establishment, there shall be shown on the approved development or site plan an outside grease trap installation as approved by the Township Engineer.

§ 24.4 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, as well as in conformance with the Plumbing Subcode at N.J.A.C. 5:23-3.15 as the same may be amended from time to time. 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 Township Engineer 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. No grease trap installed or operating within the Township shall allow a discharge of oil and grease in concentrations in excess of 100 milligrams per liter (mg/l). Substances which may solidify or become viscous at temperature between 32 and 150 degrees Fahrenheit (0 degrees to 65 degrees Celsius) are also prohibited.
- C. The minimum size for a grease trap shall be a twin-compartment, reinforced concrete grease trap of no less than 750 gallons.
- D. 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 Township

Clerk's office. At the time of approval, a copy marked "approved" and signed by the Township Clerk and Township Engineer will be returned to the applicant with an approved permit.

§ 24.5 Trap Maintenance

All grease generators having traps shall perform all business transactions relating to interceptor pumping, cleaning, and servicing, and to liquid waste collection, transportation and/or disposal on a contractual basis via a written contract having a duration of at least one year, and provide copies of all such contracts to the Township and to DTMUA. Grease traps shall be cleaned and serviced no less than every 90 days. The owner of a property or business containing a grease trap shall maintain records showing the date of cleaning and service as well as the printed name and signature of the person performing the cleaning and service. Such maintenance records shall be maintained for a period of no less than five years. All grease trap waste generators shall furnish the following to the Township and to the DTMUA on at least an annual basis: copies of all manifests made by liquid waste transporters servicing their grease interceptor during the reporting period; a copy of the interceptor maintenance log; and a copy of the interceptor service contract. Failure of any grease trap waste generator to supply the requested documentation under this section may have its license(s) renewals refused for failure to comply with this Ordinance.

§ 24.6 Access to Premises; Search Warrants

- A. It shall be unlawful for a grease generator to refuse to allow inspectors to enter their premises during reasonable hours to determine whether the grease generator is complying with all of the requirements of this section. A grease generator shall allow the inspectors access to all parts of the premises for purposes of inspection, sampling, records examination and copying, and the performance of additional duties. Arrangements for the immediate access of the Township or its designated representative shall have been made ahead of time, and such failure to make adequate arrangements shall not be considered a legitimate reason to refuse admittance of the Township.
- B. In cases where a facility includes private living quarters, the right of access shall extend to all common areas, and any other area or areas a facility employee, including the manager and/or owner, may enter without expressed permission of the residents of such a facility.
- C. If the Township has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this section, or that there is a need to inspect and/or sample as part of a routine inspection or sampling program of the Township designed to verify compliance with this section or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Township may seek issuance of a search warrant from any court of competent jurisdiction.

§ 24.7 Penalties and Liability for Violations; Suspension of Service

- A. Any person, operator, or owner who shall violate any provision of this section shall be subject to the General Penalty set forth at § 1-5 of the Code of the Township of Deptford. A grease generator is liable to the Township and/or DTMUA for any expense, loss, or damaged incurred by the Township and/or DTMUA for reason of appropriate cleanup and proper disposal of said

waste materials. Additionally, an administrative fee equal to half of the assessed cleanup costs shall be levied by the Township against the guilty party.

- B. The Township or the DTMUA may suspend water service when such suspension is necessary in the opinion of the Township or the DTMUA; in order to stop an actual or threatened discharge which (1) presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment; (2) causes stoppages or excessive maintenance to be performed to prevent stoppages in the sanitary sewer system; (3) causes interference to the Township infrastructure; or (4) causes the Township or the DTMUA to violate any condition of its BNPDES or NJPDES permit.
- C. Any person notified of a suspension of the water or sewer service shall immediately stop or eliminate the discharge. In the event of a failure of the person to comply voluntarily with the suspension order, the Township shall take such steps as deemed necessary, including immediate termination of water or sewer service, to prevent or minimize damage to the Township sewer system or sewer connection or endangerment to any individuals. The Township or the DTMUA shall reinstate the water or sewer service when such conditions causing the suspension have passed or been eliminated. A detailed written statement by the grease generator describing the cause(s) of the harmful discharge and the measure(s) taken to prevent any future occurrence shall be submitted to the Township or the DTMUA within 15 days of the date of this occurrence.
- D. In accordance with applicable rules and regulations the Township and/or DTMUA must notify the New Jersey Department of Environmental Protection when a surcharge occurs.

§ 24.8 Repeal of Inconsistent Ordinances

All sections of the Code of the Township of Deptford that are inconsistent with the provisions of this section are hereby repealed.

§ 24.9 Severability

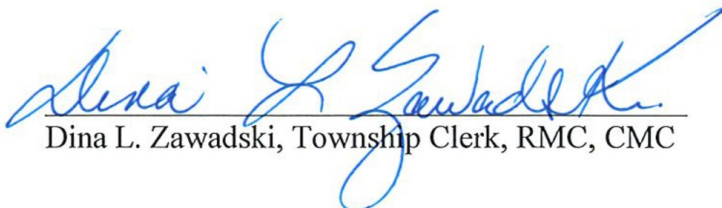
If any section, subsection, sentence, clause or phrase of this section is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this section.

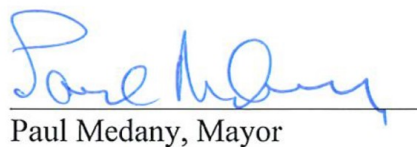
§24.10 Effectiveness

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

Township of Deptford

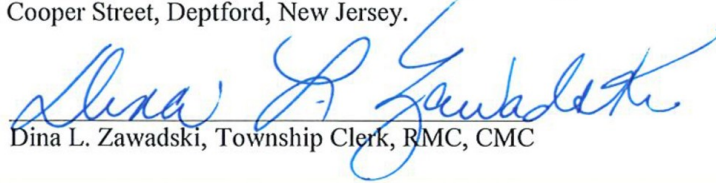
ATTEST:


Dina L. Zawadski, Township Clerk, RMC, CMC


Paul Medany, Mayor

CERTIFICATION

The foregoing Ordinance was introduced at a Work Session Meeting of the Township Council of the Township of Deptford held on the 17th day of May, 2021 and will be considered for final passage and adoption at a Council Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 14th day of June, 2021 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.


 Dina L. Zawadski, Township Clerk, RMC, CMC

RECORD OF VOTE – Introduction O.10.21					RECORD OF VOTE – Adoption O.10.21				
Council Member	Yes	No	Abstain	Absent	Council Member	Yes	No	Abstain	Absent
Medany	✓				Medany	✓			
Hufnell	✓				Hufnell	✓			
Barnshaw	✓				Barnshaw	✓			
Belling	✓				Belling	✓			
Lamb	✓				Lamb	✓			
Love				✓	Love	✓			
Schocklin	✓				Schocklin	✓			

