

**TOWN COUNCIL OF CENTREVILLE  
ORDINANCE NUMBER 08-2015**

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**AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE TO AMEND  
CHAPTER 115 OF THE CODE OF THE TOWN OF CENTREVILLE REGARDING  
SEWER USE TO CLARIFY THE RULES AND REGULATIONS FOR THE DISPOSAL OF  
FATS, OILS AND GREASE.**

WHEREAS, the Town Council of Centreville is authorized by §5-202 of the Local Government Article of the Maryland Annotated Code to pass ordinances that the Town Council deems necessary to protect the health, comfort and convenience of its citizens; and

WHEREAS, the Town of Council of Centreville is authorized by §6-102 of the Local Government Article of the Maryland Annotated Code to provide penalties for the violations of its ordinances; and

WHEREAS, Section 301(a) of the Charter of the Town Centreville authorizes the Town Council to pass ordinances that the Town Council deems necessary to protect the health, comfort and convenience of its citizens; and

WHEREAS, Chapter 115 of the Centreville Code sets forth the laws, rules, and regulations governing sewer use; and

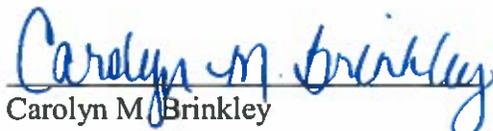
WHEREAS, the Town Council believes that it is in the best interests of the citizens of Centreville to amend Chapter 115 of the Centreville Code to add certain language regarding the proper disposal of fats, oils and grease;

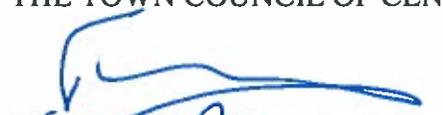
NOW, THEREFORE, be it ordained by the Town Council of Centreville:

1. That Chapter 115 is amended according to Exhibit "A" attached hereto;
2. This Ordinance shall become effective on the twenty-first day after its adoption.

ATTEST:

THE TOWN COUNCIL OF CENTREVILLE

  
\_\_\_\_\_  
Carolyn M. Brinkley  
Town Clerk

  
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Timothy E. McCluskey, President

First Reading: December 3, 2015

Second Reading: January 7, 2016

Adopted: March 24, 2016

Effective: April 14, 2016

  
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George G. Sigler, Vice President

  
\_\_\_\_\_  
Jim A. Beauchamp, Member

## Exhibit A

### 115-1. Definitions (add the following)

BEST MANAGEMENT PRACTICES (BMP) Manual means the BMP requirements and recommended practices issued to all commercial food establishments.

COMMERCIAL FOOD ESTABLISHMENT (CFE) means any facility that prepares, packages, serves and/or provides foods or beverages for sale or consumption on or off site, including but not limited to restaurants, food courts, food manufacturers, food packagers, grocery stores, hospitals, hotels, nursing homes, churches, schools and correctional facilities.

FATS, OILS AND GREASE (FOG) means a material, either liquid or solid, composed primarily of fats, oil and grease from animal or vegetable sources.

GREASE TRAP means a trap in a drain or waste pipe to prevent grease from passing into the sewer system. The grease trap must comply with Queen Anne's County, State and Environmental Protection Agency, and industry standards.

INTERFERENCE means a discharge which, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the SEWAGE WORKS, its treatment processes or operations or its sludge processes, use or disposal and hence causes a violation of the Town's

NPDES permit or prevents sewage sludge use or disposal in compliance with any federal, State or local statutory/regulatory provisions or permits.

SEPTAGE means material removed from septic tanks, cesspools, holding tanks, or other sewage treatment storage units.

SEPTAGE HAULER means any licensed person engaged in the removal or transportation of septage.

TOWN means the Town of Centreville, a municipal corporation, its duly authorized officers or agents.

### § 115-20. Prohibited discharges. (alterations in italics)

- A. *Any pollutants which create a fire or explosion hazard in the collection and treatment system, including but not limited to waste streams with a closed-cup flashpoint of less than one hundred and forty (140) degrees Fahrenheit using the test method specified in 40 CFR 261.21. Pollutants include, but not limited to; gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.*
- B. *Any liquid having a pH lower than 6.0 or higher than 9.0 or having any property capable of causing damage or hazard to structures, equipment and personnel of the sewer works. pH deviations between 5.0 and 11.0 shall be permitted for a total of ten (10) percent of the time in an eight (8) hour work shift, provided the user installs and operates a pH-monitoring device to continuously monitor and record the pH of the discharge.*

- C. *Any discharge into public sewers of solid or viscous substances which may cause obstruction to the flow in the public sewer system, including but not limited to the following:*
1. *Ashes.*
  2. *Cinders.*
  3. *Sand.*
  4. *Mud.*
  5. *Straw.*
  6. *Shavings.*
  7. *Metal.*
  8. *Glass.*
  9. *Rags.*
  10. *Paper products, either whole or ground by garbage grinders.*
  11. *Tar.*
  12. *Plastics.*
  13. *Wood or sawdust.*
  14. *Underground garbage.*
  15. *Whole blood.*
  16. *Paunch manure.*
  17. *Hair and fleshings.*
  18. *Entrails.*
  19. *Feathers.*
  20. *Bones.*
  21. *Slops.*
  22. *Chemical residues.*
  23. *Paint residues.*
  24. *Bulk solids.*
  25. *Syringes.*

**§ 115-21. Substances harmful to sewers or treatment equipment. (alterations in italics)**

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance.

- A. *Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit, any substance which causes the temperature of the total wastewater treatment plant influent to exceed one hundred four (104) degrees Fahrenheit or any substance which inhibits biological activity in the treatment facility.*
- B. *Any liquid containing fats, wax, grease, non-biodegradable cutting oil or oils of mineral, animal, vegetable or petroleum origin, whether emulsified or not, in excess of one hundred (100) mg/l or in any amounts that will cause interference or pass through. Lower limits may be applied where necessary to prevent specific problems.*
- C. *Any garbage that has not been properly shredded to a degree that all particles can be carried freely under the flow conditions normally prevailing in public sewers. Particles greater than one-half ( 1/2) inch in any dimension are prohibited.*

**115-42 Violations and Penalties. (add the following)**

- A. Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document required to be maintained pursuant to this chapter or industrial waste permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be punished by a fine of not more than \$1,000 or by imprisonment for not more than six months, or by both.
- B. Violations of this chapter shall be a matter of public record and open to public review and reproduction upon request. In addition, the Town may in its discretion publish information pertaining to any violations of this chapter in any newspaper of general circulation within the Town and/or on the Town's website.

**115-44 Enforcement (add the following)**

- A. Suspension of treatment. The Town may suspend the wastewater treatment service, suspend a wastewater discharge permit or cut off the sewer connection, when such suspension or cutoff is necessary, in the opinion of the Town; in order to stop an actual or threatened discharge which:
  - I. Presents or may present an imminent or substantial danger to the health or welfare of persons;
  - II. Presents or may present an imminent or substantial danger to the environment;
  - III. May cause or actually causes interference to the WWTP; or
  - IV. Causes the WWTP to violate any condition of its state discharge permit or county, state, or federal laws or regulations.
- B. Reinstatement of service. The Town may reinstate the wastewater discharge permit or the wastewater treatment service upon proof of the elimination of the noncomplying discharge.
- C. In the event of a suspension or cutoff under this section, within 15 days the user shall submit a written report describing the event that caused the suspension and the measures taken to prevent any recurrence.
- D. Suspension of water service. Should the Town be unable to suspend wastewater treatment service, suspend a wastewater discharge permit or cut off the sewer connection, the Town may suspend water service until proof of the elimination of the noncomplying discharge is submitted to the Town.
- E. Issuance of notice or order. After or concurrently with service of a notice of violation under this chapter, the Town may:
  - I. Issue an order that requires the person to whom the order is directed to take corrective action within a time set in the order; or
  - II. Send a written notice that requires the person to whom the notice is directed to file a written report about the alleged violation.
- F. Issuance of notice or order. After or concurrently with service of a notice of violation under this chapter, the Town may:

- I. Issue an order that requires the person to whom the order is directed to take corrective action within a time set in the order; or
- II. Send a written notice that requires the person to whom the notice is directed to file a written report about the alleged violation.

G. Hearings.

- I. A person or entity that has been issued an order pursuant to this section shall have a right to a hearing before the Town Council upon written request served upon the Town Clerk within 10 days after being served with the order.
- II. A hearing requested pursuant to this subsection shall be informal, and the formal rules of evidence shall not apply.
- III. At the hearing, the Town shall bear the burden of proof by a preponderance of the evidence that there has been a violation of this chapter.
- IV. The Town Council shall have the power to affirm, overturn or modify an order issued pursuant to this section.

H. Finality of orders.

- I. Unless the person served with an order makes a timely request for a hearing, the order shall become final.
- II. If the person served with an order under this chapter makes a timely request for a hearing, the order shall become a final corrective order if the Town Council affirms the issuance of the order in its decision following the hearing, as amended.

I. Other action permitted.

- I. This section does not prevent the Town from taking any other action against a violator that the law permits.
- II. The Town may bring an action for injunctive relief against any person who violates any provision of this chapter or any rule, regulation, order, or permit adopted or issued under this chapter.
- III. In any action for injunctive relief under this section, findings of fact by the Town Council as a result of any hearing that takes place pursuant to Subsection F above shall be prima facie evidence as to each such fact.
- IV. On a showing that any person is violating or is about to violate this chapter or any rule, regulation, or order of the Town, the court may grant an injunction without requiring a showing of a lack of an adequate remedy at law.
- V. If an emergency arises due to imminent danger to the public health or welfare, or imminent danger to the environment, the Town may seek an immediate injunction or ex parte temporary restraining order to stop any pollution or other activity that is causing the danger or to take other corrective action.
- VI. If any person discharges sewage, industrial wastes or other wastes into the Town's wastewater disposal system contrary to the provisions of this chapter, federal or state pretreatment requirements, or any order of the Town, the Town may commence an action for appropriate legal and/or equitable relief in the appropriate court.
- VII. In any proceeding pursuant to this chapter, including any hearing before the Town Council, in which the Town prevails, the Town shall be entitled to seek reimbursement of attorneys' fees and costs of litigation against any party who is found to be in violation of this chapter.

## **115-45 Variances (add the following)**

The Town Council may grant a variance or exemption from the requirements of this chapter, if the applicant submits a written request setting forth the reasons for such request and any supporting documentation, including reports of experts, and establishes in a public hearing in which the applicant may testify and call witnesses, including expert witnesses, and establishes to the satisfaction of a majority of the members of the Town Council by a preponderance of the evidence that:

- A. The strict enforcement of the provision of this chapter from which a variance is sought would be manifestly unjust, considering all the relevant facts and circumstances; and
- B. A level of protection to the Town sanitary sewer system at least equivalent to that provided under this regulation can be achieved without strict application of the provision from which a variance is sought.

## **(add the following Article)**

### **ARTICLE IX FOG Prevention**

#### **§ 115-46. Regulation of fats, oil and grease (FOG) produced by commercial food establishments.**

1. General requirements for commercial food establishments.
  - A. *General Standards.* Each CFE is subject to and must comply with the standards and procedures set out in this document. A violation of this Section or any other applicable sections of this Chapter shall be subject to the enforcement provisions.
  - B. *Maintenance of Traps and Interceptors.* Each CFE shall clean its grease trap and/or interceptor at the minimum frequency specified in the BMP Manual, unless required more frequently by the Department of Public Works or unless required to maintain the efficient operation of the unit. All exterior-located grease traps and interceptors shall be serviced by a grease hauler licensed by the State of Maryland to transport such waste.
  - C. *Recordkeeping.* Each CFE shall maintain a grease trap and/or interceptor maintenance log on a standardized form specified by the Department of Public Works and shall make such log available for inspection by the Town upon request. All service receipts, logs and maintenance records shall be kept on file for a minimum of two (2) years and made available for the Town's inspection upon request. This period shall be extended during any litigation concerning compliance with this chapter or permit conditions. The service receipt, at a minimum, shall contain the name and address of the facility serviced, the volume of the waste removed, the date and time of service and the name and address of the waste hauler providing the service.
  - D. *Posting of Signs.* Each CFE must prominently display the date of the last cleaning of the grease trap and/or interceptor. In addition, every CFE must post at least one (1) sign near the sink or other drainage area, reminding employees not to place fats, oil or grease down a drain.

## **§ 115.47 Grease Traps, oil and/or sand interceptors**

Grease traps, oil and/or sand interceptors 50 gallon or less capacity shall be located as to be readily and easily accessible for cleaning and inspection. Grease traps, oil and/or sand interceptors larger than 50 gallon capacity shall be located outside the building and easily accessible for inspection, cleaning, and maintenance. All new construction requiring grease traps, oil and/or sand interceptors shall have a minimum storage capacity of 1,000 gallons and each shall be an internally baffled tank constructed of concrete or fiberglass, unless otherwise approved by the Director of Public Works or his designee. All grease traps shall comply with the discharge restrictions described in this chapter. In addition to all other sections of this chapter, the following special provisions apply to establishments required to provide a grease trap including but not limited to CFE.

1. Grease trap maintenance: over 50 gallons.
  - A. Grease trap maintenance is critical to the grease trap's performance. Each CFE is required to maintain the grease trap in satisfactory operating condition by the periodic removal of the entire contents of the grease trap. All costs for inspections, pumping, sampling, analysis, or other maintenance is the responsibility of the CFE owner or operator. Property owners of commercial properties are responsible for the installation and maintenance of a grease trap that serves multiple CFEs that are located on a single parcel or development. To ensure that the grease trap is working as it was designed, the following maintenance procedures are required for grease traps over 50 gallons:
    - I. Content removal- Maintenance must include the complete removal of the entire contents, including floating materials, wastewater, settled solids and grease accumulated on the side of the device. Decanting or discharging of removed waste or wastewater back into the grease trap from which the waste or wastewater was removed or any other grease trap for the purpose of reducing the volume to be disposed of is strictly prohibited. No FOG that has accumulated in a grease trap is allowed to pass into any sewer lateral, sewer system, storm drain, or public right-of-way during maintenance activities.
    - II. Maintenance frequency.- All grease traps must be pumped out completely by a permitted waste hauler whenever the accumulation of grease and solids is 25% of the grease trap's overall liquid depth or at least once every 90 days, whichever is more stringent. Exception to this minimum frequency of pumping may be made with special written approval from the Town for generators of small quantities of grease waste. In no case will the frequency of pumping be less than once every six months.
    - III. Prohibition of additives.-The introduction of additives such as bacteria, enzymes, emulsifiers, or similar chemicals designed for the purpose of emulsifying or controlling FOG discharge into grease traps or associated plumbing is strictly prohibited.
    - IV. Septage hauler- All CFEs must ensure that all recovered contents of the grease trap be removed and disposed of by a permitted septage hauler.
2. Self-cleaning grease trap maintenance: under 50 gallons
  - A. Proper on-site material disposal methods shall be demonstrated and implemented (e.g., absorb liquids into solid form and dispose into trash, and collected grease is transported by a permitted septage hauler).
  - B. The grease and floatable solids must be removed a minimum of once a week, and the

entire contents of the grease trap is removed from the grease trap and baffles at a minimum of once every 30 days.

- C. All records of grease trap self-cleaning maintenance must be handwritten with permanent ink and logged. Grease trap self-cleaning maintenance logs must include, at a minimum, the date and time of cleaning, total gallons removed, method of disposal, and name of person witnessing the cleaning. The maintenance logs must be readily available for inspection and retained on site for a minimum of three years.
3. Best management practices.
- A. All CFEs are required to implement the following BMPs in order to prevent and reduce the quantity of FOG discharged to the grease trap, sanitary sewer system, and storm sewer system. Each CFE shall adopt and create BMPs that work for the establishment's needs.
    - I. Scrape pots and pans prior to washing.
    - II. Do not pour, scrape, or otherwise dispose of fats, oils, or grease into the sink or drains.
    - III. Collect fryer oil and store in barrels for recycling.
    - IV. Dry sweep floors prior to washing and mopping. Place collected material from sweeping in trash receptacles.
    - V. Dump mop water only to drains connected to your FOG treatment system.
    - VI. Use absorbents to soak up spills containing fats, oils, and grease.
    - VII. Do not put food (including liquid food), including, but not limited to, milkshakes, syrups, batters and gravy down the drain. Use strainers on sinks and floor drains to prevent solid material from entering the sewer system.
    - VIII. Do not put food (including liquid food), including, but not limited to, milkshakes, syrups, batters and gravy down the drain. Use strainers on sinks and floor drains to prevent solid material from entering the sewer system.
    - IX. Post "No FOG" signs near sinks and drains. If you have an automatic grease recovery device, empty the collection pan before it becomes full.
    - X. Provide your employees with the proper equipment for cleaning your grease trap/interceptor or grease recovery device.
    - XI. Train all kitchen staff in the best management practices for FOG disposal and the impacts of FOG accumulation in the sewer system.
    - XII. Provide regular refresher training/discussion for proper disposal of fats, oils, and grease for all employees.
    - XIII. Establish a schedule for cleaning grease-laden areas (e.g., fryers, vents, grills, etc.).
    - XIV. Inspect grease traps/interceptors after pumping to ensure adequate cleaning and proper functioning.
    - XV. Drain screens shall be installed on all drainage pipes in food preparation areas. This includes kitchen sinks, floor drains, and mop sinks, Drain screens shall be cleaned as needed.