

Local Law Filing

New York State Department of State
Division of Corporations
State Records and Uniform Commercial Code
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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

County City Town Village
(Select one.)

of Village of Washingtonville

JUN 24 2016

Local Law No. 2 of the year 2016

MISCELLANEOUS
& STATE RECORDS

A local law Grease Interceptors for Commercial and Institutional
Kitchen Facilities

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Washingtonville as follows:

Section 1. Chapter 140, titled "Sewers," of the Code of the Village of Washingtonville is amended as follows:

I. A new section, titled "Grease interceptors for commercial and institutional kitchen facilities," designated as §140-19.5, is added to read as follows:

§140-19.5 Grease interceptors for commercial and institutional kitchen facilities.

- A. General requirement. Existing and new establishments, including but not limited to restaurants, institutions and catering halls, which have kitchen facilities and discharge quantities of fats or grease, are required to include an appropriately sized external grease interceptor as part of their building sewer lateral. This §140-19.5 shall supercede the requirements of §140-20 with respect to the establishments regulated by this §140-19.5.
B. Piping installation. Separate waste lines for the sanitary and kitchen flow are required with the grease interceptor located on the kitchen waste lines. Sanitary wastes shall not be discharged into the interceptor.
C. Size requirements.

- (1) Flow figures are calculated based upon 50 gallons per seat or verified flow from kitchen facilities.

Gallons per day	Diameter (feet)	Liquid Depth (feet)
2,000 gallons or less	6	5
2,000 to 6,000	8	5
6,000 or more	10	5

- (2) For other than food preparation facilities, unit size will be determined based upon an evaluation of the anticipated discharge characteristics.

D. Exterior installation requirements.

- (1) All grease interceptors shall be brought to grade with a cast-iron frame and cover located over the influent and effluent tee fittings.
- (2) The interceptor base shall be a monolithic precast concrete structure. The interceptor structure shall be rated for a waterwheel load.
- (3) Pipe supports and fasteners within interceptor shall be stainless steel.
- (4) Effluent shall be drawn from one foot above the bottom of the interceptor through a dip pipe.
- (5) The interceptor shall be installed in an accessible location for pumping contents into a tanker truck for transport and disposal.
- (6) A difference in elevation between the inlet invert and the outlet invert of three inches to six inches shall be provided.
- (7) Interceptor inlet and outlet piping penetrations shall be watertight.
- (8) Provide one foot of clear distance between static liquid level and the underside of the top slab.
- (9) Interceptor piping shall be a six-inch diameter minimum.
- (10) The slope of the influent piping shall be 1/4 inch per foot minimum.

- E. Testing. Conduct exfiltration test on installed interceptor; plug inlet and outlet pipes; fill interceptor with water to top of inlet pipe. The liquid level shall then be measured under supervision of the Village. In this test, a second measurement shall be made at least 24 hours after initial measurement. Exfiltration shall be measured as the drop of water level in the interceptor. The maximum allowable quantity of leakage is one gallon per 24 hours. If leakage exceeds the allowable rate, then necessary repairs or replacements shall be made. The test shall be conducted until acceptable results are achieved.

F. Interior locations.

(1) Due to actual field conditions, installation of an interior grease interceptor may be considered.

(2) The applicant shall submit documentation for review that indicates the proposed interior interceptor(s) meet the following requirements:

- (a) Vented flow-control fittings shall be installed to insure that flow capacity of the grease interceptor, as specified by the manufacturer, is not exceeded. Flow-control valves and/or fittings that are manually adjustable may not be used to limit flow to an interceptor.
- (b) Grease interceptors must have a retention capacity, in pounds, of at least twice the numerical flow through rating in gallons per minute.
- (c) Grease interceptors shall remove an average of 90% or more of the grease or other extractable matter in the wastewater.
- (d) The temperature of water entering a grease interceptor shall not exceed 1800 F.
- (e) All grease interceptors must be readily accessible for inspection by duly authorized employees of the Village.
- (f) Grease interceptors for scraper sinks shall have a minimum retaining capacity of at least 30 pounds.
- (g) Discharge from automatic dishwashers may be tributary to a grease interceptor.
- (h) Discharges from high-temperature sanitizer cycles of automatic dishwashers or from dedicated sanitation compartments of sinks need not be tributary to a grease interceptor.

G. Plans and approval required. A grease interceptor shall not be installed until the property owner or his designee has submitted plans showing the interceptor design and installation to the Village Building Department and the Building Department, or its designee, has approved the plans. After installation of the grease interceptor, the interceptor and its related components shall not be covered or concealed until the Building Department, or its designee, has inspected and approved the installation. If any aspect of the approval process requires the services of the Village's professional engineer or other consultant, then the property owner shall be responsible to pay the engineering or consultant fees incurred by the Village.

H. Deadline for compliance. All existing establishments regulated by this section and all new such establishments that commence operation prior to June 30, 2016, are required to install a grease interceptor, in compliance with this section, prior to June 30, 2016. All new establishments regulated by this section that commence operation after June 30, 2016, shall install a grease interceptor, in compliance with this section, prior to commencement of operation of the establishment.

I. Operation and maintenance.

(1) Grease interceptors shall be properly installed, maintained and operated to ensure that the requirements of this section and other applicable requirements are met. This shall include routine cleaning and grease removal from the interceptor at a minimum of one time every three months, as needed, to ensure the proper operation of the interceptor. Records, receipts and any other documentation of the pump-out services shall be forwarded to the Village Treatment Plant Operator by such establishments.

II. Section 140-20, titled, "Grease, oil and sand interceptors," is amended by repealing subsection C(2), concerning restaurant sinks and dishwashers, and changing the numbering of subsection C(3) to C(2).

III. Subsection A, titled "Liability for violations," of §140-30, titled "Penalties for offenses; appeals," is amended by adding a new subsection (4) to read as follows:

(4) In addition to and not in lieu of the above penalties, the Village may compel compliance with any requirement or provision of this Chapter or with any permit or approval or condition thereof by commencing an action or proceeding in any court of competent jurisdiction.

IV. Section 140-30, titled, "Penalties for offenses; appeals," is amended by amending the title to "Penalties for offenses; remedies," by repealing subsection C; titled "Administrative appeal and hearing," and adopting a new subsection C to read as follows:

C. Enforcement officials. This Chapter may be enforced by the Building Inspector, Superintendent of the Department of Public Works, the Sewage Treatment Plant Operator, or their respective designees, the Orange County Department of Health, and any other person authorized by resolution of the Board of Trustees.

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2016 of the ~~(County)~~(City)(Town)(Village) of Washingtonville was duly passed by the Board of Trustees on July 6, 2015, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after \_\_\_\_\_  
(Name of Legislative Body)  
disapproval by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_,  
(Elective Chief Executive Officer\*)  
in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after \_\_\_\_\_  
(Name of Legislative Body)  
disapproval by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_. Such local law was submitted  
(Elective Chief Executive Officer\*)  
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_ in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after \_\_\_\_\_  
(Name of Legislative Body)  
disapproval by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_. Such local law was subject to permissive referendum  
(Elective Chief Executive Officer\*) and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_ in accordance with the applicable provisions of law.

**\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

(City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_\_ became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification)

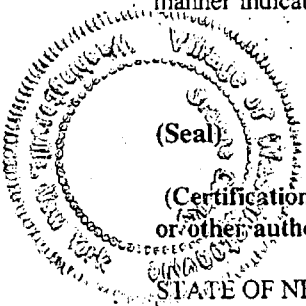
I further certify that I have compared the preceding local law with the original on file in this office and that same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ 1 \_\_\_\_\_, above.

*Christine Shenkman*

Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Christine Shenkman, Village Clerk

Date: 05-2-16



(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK )

)ss.:

COUNTY OF ORANGE )

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

JACOBOWITZ AND GUBITS, LLP

By: *J. Benjamin Gailey*

Signature J. Benjamin Gailey

Attorneys for the Village

Title

Village of Washingtonville

Date: April 1, 2016