## **CHAPTER 4**

# FATS, OILS AND GREASE (FOG) ORDINANCE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

ARTICLE I. INTRODUCTION. This ordinance shall be known as the "Fats, Oils and Grease (FOG) Ordinance of the Las Gallinas Valley Sanitary District" and may be so cited and pleaded. This ordinance is adopted pursuant to provisions of Section 6400 *et. seq.* of the Health and Safety Code of the State of California.

#### ARTICLE II. PURPOSE AND POLICY

Section 201. Sanitary sewer overflows (SSOs) have recently become a major concern to wastewater agencies throughout the State of California. A frequent cause of SSOs is the blockage of sewer lines due to discharge of fats, oils and grease (FOG) from food preparation and cleanup operations. One of the actions Las Gallinas Valley Sanitary District (District or LGVSD) is taking to prevent SSOs from the sanitary sewers in its service area is to develop and implement a program to reduce the discharge of FOG from restaurants and other food service establishments to levels that will not cause blockage in sewer lines. This program will enable the District to comply with requirements of the California State Water Resources Control Board and the San Francisco Bay Regional Water Quality Control Board.

Section 202. District Ordinance No. 112, adopted by the governing Board of LGVSD in 1995, regulates the discharge of wastes into the District's sanitary sewer system (System). Article IV, Section 402(a) of the Ordinance prohibits the discharge of viscous waste in amounts which will cause obstruction to the flow in the System. Article V, Section 501(b)10 and Article VIII, Section 804 give the District the authority to require sewer users to install pretreatment equipment as necessary to bring their discharges into compliance with the Ordinance. Article V, Section 501(b)7; Article V, Section 501(b)9; and Article VIII, Section 801 give the District the authority to perform inspections on the premises of sewer users and to review user records relevant to sewer discharge.

Title 2 Chapter 4 Page 1 of 15

Section 203. Upon adoption of this Ordinance, all food service establishments (FSE's) subject to this Ordinance, as further defined in Article V of this Ordinance, shall be designated as "Class III Users," as defined in Section 5.A. of Ordinance No. 112. This designation is based on the discharge of FOG as discussed herein.

<u>ARTICLE III. JURISDICTION</u>. The provisions of this Ordinance shall be in force and applicable within the service area which encompasses the jurisdictional boundaries of the Las Gallinas Valley Sanitary District. The District Service Area is defined in Section 407 of this Ordinance.

## **ARTICLE IV. DEFINITIONS**

Section 401. FATS, OILS, and GREASE (FOG) means any animal or vegetable-based fats, oils, and grease generated from food preparation, food service, and kitchen cleanup.

Section 402. FOOD SERVICE ESTABLISHMENT (FSE) includes, but is not limited to, any facility preparing and/or serving food for commercial use or sale. This includes restaurants, cafes, lunch counters, cafeterias, hotels, hospitals, convalescent homes, factory or school kitchens, catering kitchens, bakeries, grocery stores with food preparation (excluding stores with only food-warming operations), meat cutting and preparation, and other food handling facilities not listed above where fats, oils, and grease may be introduced into the sanitary sewers.

Section 403. GREASE REMOVAL DEVICE (GRD) means a device used to remove FOG from kitchen wastes discharged to the sanitary sewer, i.e., a grease interceptor, grease trap, or other mechanical device.

Section. 404. GREASE INTERCEPTOR (or INTERCEPTOR) means a GRD consisting of a partitioned vault, with a minimum volume of 750 gallons, that is typically installed inground or underground and outside of the building which it serves.

Section 405. GREASE TRAP (or TRAP) means a GRD designed to serve one to four (4) kitchen fixtures. Traps are usually 50 gallons or less in volume and are typically located inside a kitchen, under the sink, or in the floor.

Title 2 Chapter 4 Page 2 of 15

Section 406. LGVSD (or DISTRICT) refers to the Las Gallinas Valley Sanitary District.

Section 407. LGVSD SERVICE AREA (or SERVICE AREA) refers to the area within the jurisdictional boundaries of the Las Gallinas Valley Sanitary District. This includes all parts of the City of San Rafael north of the Puerto Suello ridge (Terra Linda and Civic Center) and some closely adjacent unincorporated areas of Marin County.

Section 408. MAJOR REMODEL means a remodel which includes significant change to the kitchen and which has a building permit valuation of at least \$100,000, not including the purchase and installation cost of any GRD installed during the remodel.

Section 409. NEW FOOD SERVICE ESTABLISHMENT means a) a new building which will contain a FSE; b) the installation of a FSE in an existing building which has not previously contained a FSE requiring a Restaurant Plan Check from Marin County Environmental Health Services.

Section 410. SEWER LINE "HOT SPOT" means a location in the sanitary sewer lines where one or more FOG-related sewer overflows have occurred that requires significantly increased maintenance to prevent FOG-related line blockages, and/or where a significant potential exists for FOG-related line blockages to occur. The designation of a "Hot Spot" will be solely at the discretion of the District, based on the history and characteristics of the location.

Section 411. UNIFORM PLUMBING CODE means the "2001 California Plumbing Code" (California Code of Regulations, Title 24, Part 5). This is the UPC currently referenced by the City of San Rafael Municipal Code. If there are future revisions to the UPC that relate to sizing of GRDs, the District reserves the right to use either the present or revised UPC, as appropriate.

Section 412. WORKING CAPACITY means the total volume of solids, water, and grease that a Grease Interceptor or grease trap contains under normal operating conditions.

ARTICLE V. GREASE REMOVAL DEVICE REQUIREMENTS. All new FSEs, all existing FSEs undergoing a Major Remodel and all existing FSEs upstream of a Sewer

Title 2 Chapter 4 Page 3 of 15

Line "Hot Spot" shall have at least one GRD, as specified below. Appendix A of this Ordinance is a table summarizing these requirements.

#### Section 501. New Food Service Establishments.

- (a) For purposes of this Ordinance, a "New Food Service Establishment" shall be as defined in Section 409 of this Ordinance: "a) A new building which will contain a Food Service Establishment (FSE); b) The installation of a FSE in an existing building which has not previously contained a FSE requiring a Restaurant Plan Check from Marin County Environmental Health Services." A business will not be considered a "new FSE" solely on the basis of a change menu, name, and/or ownership.
- (b) All new FSEs shall install an Interceptor sized in accordance with Appendix H of the Uniform Plumbing Code (UPC). Interpretation of Appendix H and the variables used in the sizing calculation shall be at the discretion of the District. It is anticipated that there will be a significant revision of Appendix H by the International Association of Plumbing and Mechanical Officials (IAPMO) during 2006. Although these changes will not be in the UPC currently codified by the City of San Rafael (see Article IV of this Ordinance), the District will accept interceptor sizing based on the new Appendix H.
- (c) The interceptor shall drain all fixtures and equipment in the establishment which may receive FOG, including but not limited to utensil sinks, food preparation sinks, hand washing sinks in kitchen areas, mop sinks, and floor drains and floor sinks in kitchen and washing areas. The dishwashing machine shall be plumbed to the interceptor, unless specified otherwise by the District. Any discharge to the sanitary sewer from routine cleaning of exhaust hoods and ducts shall be plumbed to the interceptor. No drains from toilets, showers, or other domestic discharges shall be connected to the interceptor.

Title 2 Chapter 4 Page 4 of 15

(d) Outside refuse areas and/or washing areas must be covered, beamed to prevent discharge to storm drainage, and plumbed to the sanitary sewer, in accordance with the requirements of the municipality. These areas shall drain to the kitchen interceptor or to another properly sized interceptor.

Section 502. <u>Major Remodel</u>. Any FSE which is: a) upstream of a Sewer Line "Hot Spot," as defined in Article IV of this Ordinance and described in Article V, Section 503 below; and b) undergoing a Major Remodel, as defined in Article IV, shall install an interceptor, as described in Article V, Section 501 of this Ordinance. The requirements shall be the same as for a new FSE, except for the following:

- (a) A remodeled FSE may be allowed to not connect some minor kitchen drains, such as hand washing sinks or floor drains, where connection of these drains to the interceptor would require excessive replumbing. The determination shall be solely at the discretion of the District, on a case-by case-basis. For any drain exempted from connection to the interceptor, the FSE shall maintain employee training and/or signage to prevent discharge of FOG to the drain.
- (b) At the discretion of the District, on a case by case basis, a remodeled FSE may be relieved from complying with some of the requirements, specified in Section 501 of this Ordinance, regarding outside refuse areas and/or washing areas. At a minimum, facilities and operating practices must be adequate at all times to prevent illegal discharges to storm drainage.

Any FSE which is not upstream of a Sewer Line "Hot Spot" but is undergoing a Major Remodel, as defined in Section 408 of this Ordinance, shall install, at a minimum, one or more grease traps, as required for an existing FSE which is upstream of a hot spot. The requirement for existing FSEs upstream of a hot spot is specified in Article V of this Ordinance.

Section 503. Existing Food Service Establishments – Upstream of Sewer Line "Hot Spot." As defined in Article IV. of this Ordinance, a Sewer Line "Hot spot" is a specific location in the sanitary sewer lines where one or more FOG-related sewer overflows have occurred, that requires significantly increased maintenance to prevent

Title 2 Chapter 4 Page 5 of 15

FOG-related line blockages, and/or where a significant potential exists for FOG-related line blockages to occur. The District shall maintain a current list of the locations designated as Hot Spots. The list shall reference the evidence supporting each designation. Such evidence may include, but is not limited to, maintenance records, SSO reports, or videotapes. The designation of a Hot Spot shall be solely at the discretion of the District.

The minimum GRD requirement for any FSE above (upstream) a designated Hot Spot shall be one or more traps draining at least the utensil sinks and dishwasher prerinse sink (scrap sink). The sizing of the trap(s) shall be as follows:

- (a) For FSEs that do not currently have any GRD in place, the installed trap(s) shall be sized in accordance with Table 102 in Chapter 10 of the UPC, or subsequent revisions, at the discretion of the District. Manufacturer specifications may be used instead of the UPC table, if adequate documentation is provided to assure the Agency that the trap size is appropriate for the fixtures drained.
- (b) Existing FSEs with one or more traps currently installed shall not be required to install a larger trap if the size of the trap is at least 70% of the size specified by Table 102 in Chapter 10 of the UPC. Those FSEs with installed traps sized at less than 70% of the UPC requirement shall be required to install larger or additional traps to meet the appropriate sizing requirement of the UPC.
- (c) The District reserves the right to require installation of an interceptor, as discussed in Article V, Section 502 of this Ordinance, if such installation is appropriate due to the size, menu, and location of the FSE.

FSEs upstream of a designated Hot Spot, that have a grease trap meeting the requirements in Article V, Section 503 above, shall be issued a "conditional wastewater permit." The conditional permit shall authorize the FSE to discharge from their kitchen drains without installation of an interceptor. However, if the District determines that the FSE's grease trap(s) and operating practices are inadequate and the FSE continues to contribute significant quantities of FOG to a downstream Sewer Line "Hot Spot," the conditional permit shall be revoked and the FSE shall be required to install an interceptor. If the conditional permit is revoked, the FSE shall be subject to the same requirements as

Title 2 Chapter 4 Page 6 of 15

described above for a FSE upstream of a Hot Spot and undergoing a Major Remodel (Article V, Section 502). Such revocation shall only occur after the District has worked with the permittee to resolve the problem and has documented reasonable evidence that FOG discharges from the FSE are contributing to the hot spot problem.

All grease trap installations (existing traps or new installations) shall comply with all of the following requirements (note that these requirements do not apply to interceptor installations):

- Dishwashing machines shall not drain to a Grease Trap, unless the FSE
  can document that the volume and temperature of wash water and rinse
  water discharged, in combination with any detergent, soap, and/or
  disinfectant in the water, will not render the Trap ineffective.
- All new or existing Grease Trap installations shall comply with 1014.3 of the UPC. This requires a flow control device, meeting certain criteria, to be installed either on each fixture drain before the trap inlet or at the trap inlet itself.
- For any kitchen drain not connected to the Grease Trap, the FSE shall maintain employee training and/or signage adequate to prevent discharge of FOG to the drain.
- Installation of specialized grease removal devices of proprietary design, such as the "Big Dipper," will be considered by the District on a case-bycase basis. Approval shall be contingent on demonstration that the device will reliably perform at least as well as a conventional Grease Trap meeting the requirements of the UPC.

Section 504. Existing Food Service Establishments – NOT Upstream of "Hot Spot." Existing FSEs that are not upstream of a Sewer Line "Hot Spot" do not have permit or GRD requirements under this Ordinance. However, owners and operators of such establishments should consider that if the FSE should discharge sufficient FOG to cause an obstruction in the sanitary sewer, they would be in violation of Ordinance No. 112. Such discharge would also be likely to plug the FSE's drain lines, causing sewage back-ups into the kitchen.

Title 2 Chapter 4 Page 7 of 15

Upon request, District personnel will provide FSEs with information regarding employee training and GRDs to minimize FOG discharge to the sewer.

### ARTICLE VI. REQUIREMENTS FOR ALL FSEs SUBJECT TO THIS ORDINANCE.

All new food service establishments (FSEs) and all existing FSEs upstream of a Sewer Line "Hot Spot" are subject to this Ordinance and shall have a current wastewater permit issued by the District and at least one grease removal device (GRD), as described in Article V of this Ordinance. The sole exception is any FSE granted a permit waiver, as discussed in Article VI, Section 601 below. All FSEs that are subject to this Ordinance shall comply with the requirements of Sections 601 through 605 below, unless they are granted a permit waiver.

Section 601. <u>Permit Waiver</u>. All FSEs shall have a current wastewater permit issued by the District, unless the District grants a permit waiver. Waivers will be granted only to those FSEs that can demonstrate to the satisfaction of the District that they are not a significant source of FOG. This will normally be the case only if there is no cooking or cleanup taking place at the facility.

Section 602. <u>Permit Fees</u>. Section 5.D. of Ordinance No. 112 specifies that the District shall have the authority to assess and collect fees from users of the District system, in order to recover costs as necessary and reasonable to demonstrate compliance with Ordinance No. 112 and/or a wastewater permit. The fees specified therein are applicable to FSEs as "Class III Users" of the system.

As discussed in Article VIII, Section 804 of this Ordinance, if an inspection by District staff determines that a permittee is in violation of one or more requirements of this Ordinance, the permittee shall be assessed a fee to reimburse the District for the cost of a re-inspection to determine that the violation has been corrected. Additional fees may be assessed if a District compliance order is issued to the permittee, as discussed in Article VIII, Section 805 of this Ordinance. All such fees are in accordance with Section 5.D. of Ordinance No. 112.

All fees associated with violations of the wastewater permit, as discussed in the preceding paragraph, shall be in addition to any uniform fee assessed by the District on

Title 2 Chapter 4 Page 8 of 15

permittees in order to recover the cost of the FOG control program established by this Ordinance.

As specified in Section 5.E. of Ordinance No. 112, all fees assessed by the District pursuant to Section 5.D. are due and payable upon receipt of such notice. Section 5.E. specifies District procedures regarding fees not paid in a timely manner.

Section 603. <u>Grease Recycling Bin.</u> All FSEs shall have a bin or drum for collecting waste kitchen grease and used cooking oil. FOG cleaned out of grease traps shall not be placed in this container, as it is more difficult to recycle. The container shall be used and maintained adequately to prevent spillage or leakage.

The container shall be serviced (emptied or exchanged) and recycled in a legal manner at an appropriate frequency. Receipts or other documentation of such service shall be retained at the FSE and presented to District staff on request. The FSE shall maintain adequate employee training and/or kitchen signage to assure that the container is used and maintained in an appropriate manner.

Section 604. <u>No Stormwater Pollution</u>. All FSEs shall operate so as to prevent any discharge of FOG or other wastes to storm water drainage in violation of Ordinance No. 1672 of the City of San Rafael (Storm Water Management and Discharge Control Program Ordinance) or, if outside the City of San Rafael, the Storm Water Ordinance of the County of Marin. Serious or repeated discharges to storm drainage from an FSE will be referred to the appropriate authorities for enforcement action.

Section 605. <u>GRD Additives Prohibited</u>. Addition of enzymes, solvents, or emulsifiers to GRDs (grease Traps or Interceptors) or to drains leading to these devices is prohibited.

Section 606. <u>Food Grinders Prohibited</u>. A food grinder (garbage disposal) shall not discharge to a GRD (Grease Trap or Grease Interceptor).

ARTICLE VII. MAINTENANCE REQUIREMENTS FOR GRDs. The wastewater permit issued to an FSE will specify the required minimum frequency for maintaining (pumping or hand cleaning) the GRD(s) and how the FSE shall verify this maintenance. The options are described below:

Title 2 Chapter 4 Page 9 of 15

Section 701. Grease Interceptors and Large Grease Traps. For an FSE with a Grease Interceptor or a Grease Trap larger than 30 gallons liquid capacity (35 gpm rating / 70 pound grease storage capacity), the Interceptor or Trap shall be pumped (i.e., all compartments pumped empty) and the contents legally disposed at a minimum frequency of once every three months. The District may require more frequent pumping if inspections by District staff indicate that pumping every three months is not adequate. At the discretion of the District, the required frequency may be reduced if the FSE provides documentation (e.g., hauler certifications) adequate to establish that less frequent pumping would suffice. Such documentation shall be based on a minimum of one year of quarterly pumping and shall be verified by District inspections.

All pumping shall be performed by persons who are certified by the California Department of Food and Agriculture (DFA) as a "registered transporter of inedible kitchen grease." The pumper shall transport the pumped waste to an "authorized receiving facility," as defined by the DFA. DFA regulations require the pumper to provide the FSE with a "waste removal receipt" which includes the name of the FSE, the date of the pumping, the "working capacity" of the Interceptor pumped (see Article IV of this Ordinance) and the total gallons pumped.

The District will provide the FSE with a file pouch and a supply of self-addressed envelopes. Within one week of each pumping, the FSE shall mail a copy of the waste removal receipt to the District, using one of the supplied envelopes. The FSE shall file another copy of the receipt in the file pouch, for presentation to District staff on request. Receipt copies shall be retained in the pouch for a minimum of three years.

Section 702. <u>Grease Traps</u>. FSEs with a grease trap of 30 gallons liquid capacity (35 gpm rating / 70 pound grease storage capacity) or less may choose to comply with the procedure specified in Article VII Section 701 of this Ordinance, except that the minimum pumping frequency shall be monthly, unless modified in the permit, as described above.

All FSEs with a grease trap of 30 gallons liquid capacity (35 gpm rating / 70 pound grease storage capacity) or less who do not choose to comply with the above shall comply with the procedure specified below:

Title 2 Chapter 4 Page 10 of 15

- The Grease Trap shall be cleaned by FSE staff and/or a contractor, at a minimum frequency of once every 15 days. The District may require more frequent cleaning if inspections by District staff indicate that cleaning every 15 days is not adequate. At the discretion of the District, the required frequency may be reduced if the FSE provides documentation (e.g., logbook observations) adequate to establish that less frequent cleaning would suffice. Such documentation shall be based on a minimum of six months cleaning at a minimum 15-day frequency and shall be verified by District inspections.
- Persons cleaning a Trap shall assure that all grease and sediment is removed and appropriately disposed. They shall also assure that all baffles, flow control devices, and other equipment are properly installed subsequent to the cleaning. All wastes removed from the Trap during cleaning shall be placed in a drum or other dedicated container and be removed by a "registered transporter of inedible kitchen grease," as described in Article VII, Section 701 of this Ordinance. The trap waste may not be placed in the "grease recycling bin" specified in Article VI, Section 603 of this Ordinance, unless the grease hauler provides written certification that this is acceptable and the hauler complies with all DFA regulations for "inedible kitchen grease."
- Cleaning of a Trap shall be documented on a log sheet maintained by the FSE. The log sheet shall include, at a minimum, the date of the cleaning event, the name of the person(s) performing the cleaning, their signature, the quantity of waste removed from the Trap, and any other relevant observations. The completed log sheets shall be maintained onsite in a file pouch supplied by the District for a minimum of three years and provided to District staff on request. The FSE shall provide to the District (mail or FAX) a copy of their current log sheet at a frequency specified by the District in the FSE permit.

Title 2 Chapter 4 Page 11 of 15

ARTICLE VIII. DISTRICT MONITORING OF PERMIT COMPLIANCE. District staff will monitor FSE compliance with this Ordinance and the wastewater permit. Below is an outline of the routine monitoring and enforcement procedures. The District reserves the right to modify these procedures, as appropriate.

Section 801. <u>Permits</u>. As specified in Article VI of this Ordinance, all new FSEs and FSEs upstream of a Sewer Line "Hot Spot" shall have a District wastewater permit or a permit waiver. District staff shall not issue a permit until they have verified that the FSE is in compliance with the grease removal device (GRD) requirements specified in Article V of this Ordinance. If an FSE has an existing GRD that must be replaced due to inadequate sizing, an interim permit may be issued to specify maintenance of the existing GRD.

The permit issued to an FSE shall specify the required maintenance (pumping or cleaning) frequency for the GRD, and the requirements for verifying maintenance, in accordance with Article VII of this Ordinance.

Section 802. <u>Permit Inspections</u>. Sections 4.A.2.g., 4.A.2.i., and 7.A. of District Ordinance No. 112 give District staff authority to perform inspections on the premises of sewer users and to review user records relevant to sewer discharge.

District staff will perform on-site inspections of FSEs to verify compliance with the permit. The inspections will normally be unannounced. District staff will attempt to schedule inspections so as to minimize the impact on the operation of the FSE (e.g., no visiting during the lunch period). However, the FSE shall provide District staff, at all times that the FSE is open and/or in operation, with access to the FSE in order to inspect the premises, GRDs, and maintenance records. This specifically includes access to the GRD. If the device is inaccessible to District staff due to placement of vehicles, mats, utensils, etc., FSE staff shall remove such obstacles in a timely fashion. If District staff must re-visit an FSE in order to complete an inspection, as a result of adequate access not being provided, a re-inspection fee, as discussed in Article VIII, Section 804 below, shall be assessed. The reinspection fee will not be assessed only in those cases where the District inspector documents adequate extenuating circumstances.

Section 803. <u>Permit Violations</u>. The following conditions are violations of an FSE wastewater permit and shall normally result in issuance of a Notice of Violation

Title 2 Chapter 4 Page 12 of 15

(NOV), in accordance with Section 10.A.1. of Ordinance No. 112. At the discretion of District staff, a verbal warning may be given instead of an NOV, for "borderline" violations or where there are extenuating circumstances. Egregious and/or repeated violations may result in escalated enforcement action, as described in Article VIII Section 805 below. A NOV shall state the violation(s), the corrective action(s) required, and the date the corrective action(s) must be completed.

- (a) <u>GRD not maintained</u>. The permit shall specify the minimum maintenance frequency required, in accordance with Article VII of this Ordinance. If documentation of adequate maintenance is not provided to District staff, the FSE shall be in violation. Regardless of the frequency of maintenance, any GRD with a combined level of floating FOG and settled solids in any compartment which exceeds 25% of the liquid depth of that compartment shall be considered to be in violation.
- (b) <u>GRD not in working condition</u>. All vents, baffles, inlet and outlet devices, and flow control devices necessary for proper operation of the GRD and compliance with this Ordinance must be in place and in working condition at all times.
- (c) <u>Grease recycling bin not in use</u>. Unless exempted in the permit, the FSE shall comply with Article VI, Section 603 of this Ordinance.
- (d) <u>Prohibited compounds discharged to GRD</u>. Unless specific compounds are authorized in the permit, the FSE shall comply with Article VI, Section 605 of this Ordinance.
- (e) <u>FOG discharged to drain not connected to GRD</u>. See Article V, Section 502 and Article V, Section 503 of this Ordinance. Repeated incidents may result in requirement to connect the drain to a GRD.
- (f) Access denied to District staff See Article VIII, Section 802 above.

Section 804. <u>Re-inspection</u>. If a Notice of Violation (NOV) is issued for violation of an FSE wastewater permit, the FSE shall be assessed an inspection fee, in accordance with Section 5.D.2. of Ordinance No. 112. The fee shall reimburse the District for the cost of inspecting the FSE to verify the corrective action required by the NOV.

Title 2 Chapter 4 Page 13 of 15

Normally, the "re-inspection fee" shall be a standard charge equal to 1.5 times the weighted hourly salary for the District staff normally performing FSE inspections, plus 60% overhead. In exceptional cases, requiring substantially more than 1.5 hours staff time for all follow-up to the NOV, the re-inspection fee shall be based on actual staff time documented.

Section 805. <u>Escalated Enforcement</u>. Where deemed necessary to achieve compliance with this Ordinance, the District will take escalated enforcement action beyond or in addition to the Notice of Violation. The normal intermediate enforcement action is an Administrative Order, as described in Section 10.A.3. of Ordinance No. 112. Fees may be assessed as part of an Administrative Order in order to recover District costs for the enforcement action.

ARTICLE IX. HEARING AND APPEALS. Section 11 of LGVSD Ordinance No. 112 is hereby incorporated by reference into this FOG Ordinance. Any person wishing to appeal a decision, action, or determination of the District pursuant to this FOG Ordinance shall comply with all relevant provisions of Section 11 of Ordinance No. 112.

ARTICLE X. SEVERABILITY. If any provision, paragraph, word, section, or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, words, sections, and chapters shall not be affected and shall continue in full force and effect.

ARTICLE XI. REVISION. The Sanitary Board of the Las Gallinas Valley Sanitary District reserves the right to update, change, or modify this Ordinance when deemed advisable and necessary.

Title 2 Chapter 4 Page 14 of 15

APPENDIX A

Grease Removal Device Requirements for Food Service Establishments (FSEs)

	NOT Upstream of "Hot Spot"	Upstream of "Hot Spot"
New FSE	Interceptor required* (see Art. V Sec. 501)	Interceptor required* (see Art. V. Sec 501)
MAJOR REMODEL	Grease trap required (see Art. V Sec. 502)	Interceptor required*** (see Art. V Sec. 502)
Existing FSE	No requirement (see Art. V Sec. 504)	Grease trap required*** (see Art. V Sec. 503)

<sup>\*</sup> Interceptor = Outside, 750 gallons minimum, connected to all kitchen drains

Title 2 Chapter 4 Page 15 of 15

<sup>\*\*</sup> For remodels interceptor may not need to be connected to all kitchen drains, at the discretion of the District.

<sup>\*\*\* &</sup>quot;Conditional Permit" for grease trap installations (existing traps or newly installed in existing restaurants) can be revoked if "hot spot" conditions do not subside. The FSE would then have to install an interceptor, as for a MAJOR REMODEL.