

TOWNSHIP OF TILDEN
BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 253-2023

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, AMENDING PART 1, ENTITLED "PUBLIC SEWAGE DISPOSAL SYSTEM", OF CHAPTER XXIII, ENTITLED "SEWERS AND SEWAGE DISPOSAL" OF THE TOWNSHIP OF TILDEN CODE OF ORDINANCES TO AMEND SUBPART L, ENTITLED GREASE AND OIL INTERCEPTORS OR TRAPS TO REQUIRE OF GREASE AND OIL INTERCEPTORS OR TRAPS AT ALL RESTAURANTS, GROCERY STORES, FAST FOOD, FOOD PREPARATION, PROCESSING, OR SERVING FACILITIES AND AUTO-RELATED ESTABLISHMENTS; TO REQUIRE APPROVAL OF GREASE TRAPS PRIOR TO CONSTRUCTION; TO RESTATE MANDATORY CLEANING / PUMPING OF GREASE AND OIL INTERCEPTORS AND TRAPS; TO REGULATE PRODUCTS USED TO CLEAN GREASE TRAPS; TO PROHIBIT THE DISCHARGE OF WASTEWATER THROUGH THE GREASE AND OIL INTERCEPTORS AND TRAPS; TO PROHIBIT INFLUENT TO GREASE TRAPS IN EXCESS OF 140 DEGREES FAHRENHEIT; AND PROVIDING PENALTIES FOR VIOLATION

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Part 1, entitled "Public Sewage Disposal System", of Chapter XXIII, entitled "Sewers and Sewage Disposal", of the Code of Ordinances of the Township of Tilden is hereby amended by adding thereto the following new Subpart L:

"Subpart L. Grease and Oil Interceptors or Traps.

Section 165. Requirement of Interceptors. Grease and oil interceptors or traps shall be provided when, in the opinion of the Township, based on sound engineering standards, they are necessary for the proper handling of liquid wastes containing grease and oil in excessive amounts or any flammable wastes, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors or traps shall be of a type and capacity designed by the owner's licensed plumber or registered engineer and approved by the Township Engineer or Code Official as a type suitable to the use of the property if deemed necessary by the Township upon six (6) months notification by the Township.

Section 166. Location of Grease Trap. The grease trap shall be located so as to be readily and easily accessible for cleaning and inspection.

Section 167. Future Establishments.

- (a) In-Line Facilities. All restaurants, grocery stores, fast food, food preparation, processing, or serving facilities, and auto-related establishments and other facilities that generate grease and/or oil not now existing shall provide an in-line grease and oil interceptor or trap between the grease generator and the Sewer System, which shall be approved by the Township Engineer prior to construction commencing on any site. Grease and oil interceptors or traps shall be installed with an access manhole or lid brought up to or slightly above grade or finish floor elevation for easy cleaning. The design shall prevent the entry of surface water into the grease and oil interceptor or trap.
- (b) Off-Line Facilities. Any of the above-mentioned establishments that wish to propose an off-line dumpster-type holding tank/containment facility for grease and oil (grease handling dumpster container) shall be approved by the Township Engineer prior to construction commencing on any site.

Section 168. Existing Establishments. Any existing restaurants, grocery stores, fast food, auto-related establishments, and other facilities that generate grease and/or oil, operating without a grease and oil interceptor or trap shall be required to install a grease and oil interceptor or trap whenever it is deemed necessary by the Township upon six (6) months notification by the Township.

Section 169. Mandatory Cleaning/Pumping.

- (a) Maintenance. All interceptors or traps (whether in-line or off-line) shall be supplied and properly maintained continuously in satisfactory and effective operation by the owner at the owner's expense. All interceptors and traps shall be pumped and/or cleaned by a licensed hauler every three (3) months.
- (b) Documentation of Maintenance. Within two (2) weeks of the cleaning by the licensed hauler, the owner shall provide the Township with a written report or manifest supplied by the hauler to verify that the cleaning and proper disposal was performed. Should the owner fail to timely provide the written report or manifest, the property will be in violation of this Ordinance.
- (c) Inspection. An inspection of existing conditions may be made by authorized Township personnel at any time that there is reasonable cause to believe that oil and grease are discharging into the sanitary sewer system from an establishment or grease or oil is not entirely being placed in an off-line facility without spillage.
- (d) Reduction of Frequency of Pumping and Cleaning. At its discretion, the Township may reduce the frequency of pumping and cleaning, upon written request by the owner.

Section 170. Cleaners. No hot water, acids, caustics, solvents, or emulsifying agents shall be used when cleaning the grease and oil interceptor or trap. No bacteria products designed for use in treating grease and oil interceptors and traps may be used without the prior written approval of the Township.

Section 171. Prohibited Discharges. Wastewater from toilets, urinals, and wash basins in restrooms shall not flow through any grease and oil interceptor or trap. Influent to the grease trap or interceptor shall not exceed 140 degrees Fahrenheit (140° F).

Section 172. Penalty for Violation. Any person who violates or fails to comply with any provision of this Section shall be subject to the following fines, which may be amended, as needed, from time to time, by ordinance or resolution:

(a) Fine Fee Schedule.

- (1) First offense: \$500.
- (2) Second offense: \$750.
- (3) Third and subsequent offenses: \$1,000.

(b) Cost Reimbursement. In addition to the above fines, the property owner shall pay, or reimburse the Township for all cleanup costs, any costs to remedy any damages incurred, any inspection costs, and the costs of prosecution, including filing fees, and any engineer, attorney, employee or representative fees, and any other Township expenses related to the violation. If the owner fails to pay the expenses, then the expenses shall be collectible from the property owner by any method available at law or in equity, including a municipal claim.

Section 173. Officials Authorized to Enforce. This Ordinance shall be enforced by the Township Code Official, and/or any other person or official as may be designated by ordinance or resolution as may from time to time be adopted by the Board of Supervisors.

SECTION 2. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. Repealer. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. Effective Date. This Ordinance shall become effective in on the earliest date allowed by applicable law.

SECTION 5. Full Force and Effect of Remainder. The Code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, upon adoption.

SECTION 6. Necessity. It is declared that enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

DULY ENACTED AND ORDAINED this 18th day of October, 2023.

TOWNSHIP OF TILDEN
BOARD OF SUPERVISORS

Gene L. Schappell
Gene Schappell, Chairman

Fred Herman
Fred Herman, Vice Chair

Richard DeLong
Richard DeLong, Supervisor

Attest: Monica Flower
Monica Flower, Secretary