

RESOLUTION SETTING PUBLIC HEARING TO CONSIDER LOCAL LAW AMENDING
VILLAGE CODE §220-4.4 NONCOMPLYING WASTES, SECTION E, GREASE TRAP
REQUIREMENTS

WHEREAS, the Village Board of the Village of Sag Harbor is seeking to amend the grease trap requirements set forth in the Sag Harbor Village Code Article IV, Wastewater Discharge Regulations, §220-4.4(E), Noncomplying Wastes, Grease Trap Requirements to bring the standards up to the Suffolk County Department of Health Services standards requiring grease traps for food establishments and restaurants to be 1,500 gallons; and

WHEREAS, in furtherance of this goal, the Board of Trustees is considering enacting a local law amending Village Code §220-4.4(E), Noncomplying Wastes, Grease Trap Requirements; and now, therefore be it

RESOLVED, that a public hearing shall be held on **Tuesday, August 9, 2022 at 6:00 P.M.** or as soon thereafter as the matter may be heard, at the Sag Harbor Village Municipal Building located at 55 Main Street, Sag Harbor New York, 11963, to consider a Local Law amending Village Code §220-4.4(E), Noncomplying Wastes, Grease Trap Requirements bring the standards for grease traps up to those set forth by the Suffolk County Department of Health Services; and be it further

RESOLVED, that the Village Clerk is hereby directed to refer this local law to the Suffolk County Department of Health Services and the Village of Sag Harbor Planning Consultant, Nelson Pope & Voorhis to conduct the necessary SEQRA review.

INTRODUCTORY LAW NO.
LOCAL LAW NO. 14 OF 2022

Be it enacted by the Village Board of Trustees of the Village of Sag Harbor as follows:

A LOCAL LAW to amend Village Code §220-4.4(E) Noncomplying Wastes, Grease Trap Requirements to amend the requirements and bring the standards for grease traps up to those set forth by the Suffolk County Department of Health Services.

SECTION 1. Amendment. Please see the following and amend Village Code §220-4.4 (E), by deleting those words that are stricken and adding those words that are underlined:

E.
Grease trap requirements shall be as follows:
(1)

At every restaurant and other food preparation establishment (any business establishment where food is prepared for sale or for service on the premises or elsewhere) on using premises, a grease trap shall be required for the kitchen or food preparation area.

(2)

The grease trap shall comply with the following provisions:

(a)

It shall be located outside the building preceding the public sewer connection.

(b)

It shall be of approved precast concrete with a cast iron cover brought to grade.

(c)

The outlet shall be six inches below the inlet and have a drop T extending to within one foot of the bottom.

(d)

The outlet shall be located at the maximum possible distance from the inlet.

(e)

The minimum size/capacity requirement shall be based on the flow rate, in accordance with the following table:

Design Flow (gallons per day)	Septic Tank (gallons)	Minimum Grease Trap Diameter (feet)	Liquid Depth (feet)
Less than 1,000	900 -1,500		
1,000 to 4,000	1,500	8	5
4,000 or more	1,500	10	5

(3)

The design, installation and maintenance of the grease trap shall be subject to the provisions of § 220-4.5 and other applicable provisions of this chapter.

(4)

No grease trap shall be installed without first obtaining a permit from the Superintendent. The fee for such permit shall be as established from time to time by resolution of the Board of Trustees.

(5)

If installation of a grease trap outside the building as required by Subsection E(2) of this section would be impossible or would involve extreme practical difficulty due to the circumstances of a particular using premises, the user may apply to the Sewer Committee (the Trustee in charge of sewer operations and the Building Inspector) for a waiver of the requirement that the grease trap be an outside-type grease trap. Such application shall include plans for an interior-type grease trap system. In such event, said Sewer Committee may grant such waiver by approving plans for an interior-type grease trap system. The fee for such waiver application shall be as established from time to time by resolution of the Board of Trustees.

(6)

At every restaurant and other food preparation establishment ~~which exists as of April 7, 1992~~, the grease trap required by this subsection shall be installed by December 30, 2024. ~~April 7, 1995, or such other date as is hereinafter provided, whichever first occurs.~~

(a)

If there is a change of use or work requiring a building permit is performed at any such restaurant or food preparation establishment prior to December 30, 2024, ~~April 7, 1995~~, the required grease trap shall be installed at the time of performance of such change of use or work. The new grease trap shall be installed prior to the issuance of a Certificate of Occupancy or Compliance for such change of use or work.

(b)

If property containing any such restaurant or food preparation establishment is sold prior to December 30, 2024, ~~April 7, 1995~~, the required grease trap shall be installed at the time of such sale. Any change in tenancy shall also require compliance with the new 1,500 gallon size grease trap at the time the lease is entered into.

(7)

At every restaurant and other food preparation establishment which commences after April 7, 1992, and which does not exist as of April 7, 1992, the grease trap required by this Subsection E shall be installed prior to commencement of such use.

(8)

The owner of record using premises subject to the grease trap requirements shall be responsible for compliance with the grease trap requirements. The owner of the restaurant or other food preparation business shall also be responsible for compliance with such requirements.

SECTION 2. Authority

The Village of Sag Harbor hereby enacts this legislation pursuant to NYS Village Law Article 14.

SECTION 3. Severability.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder of this local law but shall be confined in its operation to the clause, sentence,

paragraph, section or part of this local law that shall be directly involved in the controversy in which such judgment shall be rendered.

SECTION 4. Effective Date.

This chapter shall take effect immediately upon filing in the office of the Secretary of State pursuant to the Municipal Home Rule Law.