

ORDINANCE NO. 16-022

AN ORDINANCE AMENDING CHAPTER 52: SEWER REGULATIONS, OF THE CITY
ORDINANCES OF THE CITY OF MONMOUTH, ILLINOIS

BE IT ORDAINED by the City Council of the City of Monmouth, Warren County,
Illinois, as follows:

Section 1: Chapter 52, Section 52.017 of the Monmouth Code of Ordinances, entitled
“GREASE TRAPS”, is hereby amended to include the following subsection:

(A) All establishments involved in the preparation of food for commercial purposes
shall provide grease interceptors or traps:

(1) Grease, oil and sand interceptors or traps shall be provided at the cost of the owner
when required by the City for the proper handling of liquid wastes containing grease in excessive
amounts, and other harmful ingredients, except that such interceptors or traps will not be
required for residential dwelling units.

(2) All interceptors or traps shall be of a type and capacity approved by the zoning
officer and the Illinois Department of Public Health; all such devices shall be located so as to be
readily and easily accessible for cleaning and inspection. They shall be constructed of
impervious materials capable of withstanding abrupt and extreme conditions in temperatures and
shall be of substantial construction, gas tight, watertight and equipped with easily removable
covers.

(3) All grease, oil and sand interceptors or traps shall be serviced and emptied at the
cost of the owner on a continuous basis to maintain their minimum design capacity and the
continuous efficient operation at all times. No waste removed from the interceptors or traps shall
be reintroduced into the sanitary sewer or back into the interceptor or trap, which will cause the
interceptors or traps discharge to exceed sewer use ordinance limits. The owner shall be
responsible for the legally appropriate sanitary disposal of such waste.

(4) The owner shall maintain written records of interceptor or trap maintenance and
emptying interceptors and traps for the prior three years, or less, if the device is less than three
years old. Said records shall be made available upon request by the Zoning Officer or his
designee.

(5) Approval of proposed facilities or equipment by the zoning department, does not, in
any way, guarantee that these facilities or equipment will function in the manner described by
their constructor or manufacturer, nor shall it relieve any person, firm or corporation of the
responsibility of enlarging or otherwise modifying such facilities to accomplish the intended
purpose.

(6) Grease, oil and sand interceptors or traps that service commercial food preparation
establishments shall be inspected by the City Zoning Department staff for evidence of excessive
accumulations of fats, oils and grease as part of an annual trap inspection program or a special
inspection in response to an identified concern.

(7) In the event that a code violation is found with a particular grease, oil and sand interceptor or trap for a commercial food preparation establishment, the Plumbing Inspector, or designee, shall immediately pursue compliance in accordance with the City's property maintenance code, policies, protocols and ordinances:

(a) Prepare and issue to the owner of the commercial food preparation establishment (owner) an Inspection Report listing the violation(s) along with the standard Fats, Oils & Grease (FOG) Program violation letter.

(b) Request immediate action of the owner to correct the listed violation(s) that threaten the safety, health and welfare of the public.

(c) For any violation(s) that threaten the immediate safety, health and welfare of the public, the commercial food preparation establishment is subject to being closed until said violation(s) are corrected.

(d) For violation(s) that do not pose an immediate threat to the safety, health and welfare of the public, the City will request a compliance schedule to correct these violation(s). The compliance schedule must be provided by the owner within one week's time from the issuance of the Inspection Report and include all anticipated dates for submission of permit application, permit review, permit issuance, start work and complete work to correct the violation(s). All violation(s) will need to be corrected within ninety calendar days after the issuance of the Inspection Report. The compliance schedule must also be approved by the City.

(e) The owner must also provide copies of all service records for the grease, oil and sand interceptors or traps for the past year within ten days after the issuance of the Inspection Report.

(8) If the owner fails to provide the compliance schedule within one week of the issuance of the Inspection Report, the Zoning Officer, or designee, will send the owner a follow-up FOG Program violation letter and request the compliance schedule within one week from the issuance of said follow-up violation letter.

(9) If the owner is non-responsive to the initial and follow-up violations letters, the Zoning Officer will issue a Code Violation Notice (Notice), which will be served to the owner via certified mail, or personal service and again request the compliance schedule within one week from the issuance of the Notice.

(a) Bi-weekly inspections on an as-needed basis will then be conducted by the Plumbing Inspector to ensure compliance to correct the violation(s).

(b) If compliance is not met by the owner, proceedings to immediately close the commercial food preparation establishment will be pursued with the City Administrator until such time the violation(s) are corrected by the owner.

(10) Penalty. If a Code Violation Notice is sent to the owner, that owner shall be subject to a citation, which can be paid at City Hall, in the amount of \$150.00 if paid within twenty-one (21) days. The failure to pay the citation within twenty-one (21) days shall result in a minimum fine of \$150.00 up to a maximum fine of \$750.00, plus court costs upon a finding of guilty. All fines collected shall be promptly remitted to the office of the City Clerk. A second offense of this Section 52.017, within a twelve (12) month period commencing with the date of the prior offense, shall be subject to a citation, which can be paid at City Hall, in the amount of \$300.00 if paid within twenty-one (21) days.

PASSED this _____ day of _____, A.D., 2016.

APPROVED this _____ day of _____, A.D., 2016.

MAYOR

ATTESTED:

CITY CLERK

Ayes: _____

Nays: _____

Absent or not Voting: _____