

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231

**(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.

**County**

**City**

of CHAMPION

**Town**

**Village**

**Local Law No. 3 of the year 2006**

STATE OF NEW YORK  
DEPARTMENT OF STATE

**FILED**

JUL 31 2006

MISCELLANEOUS  
& STATE RECORDS

**A local law A Local Law amending the current Town Sewer Use Law**

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

**County**

**City**

of Town of Champion

**as follows:**

**Town**

**Village**

Article 1. - Authority. The Town/Village Board of the Town of Champion pursuant to the authority granted it under Articles 12 of the Town Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2 – Statement of Purpose and Finding. The Town Board of the Town of Champion hereby finds that proper operation of the wastewater collection system of the Town of Champion is dependent upon making sure that the collection system is not jeopardized by blockages or other substances building up in the lines. Grease, oil and sand are particularly harmful to the system and have been known to cause blockages within the system. Current regulation of grease, oil and sand in the system is governed by Section 908 of the Sewer Use Law. It is the purpose of this amendment to add additional provisions for additional protection against grease, oil and sand building up within the collection lines.

Article 3. - Enactment. The Town Board of the Town of Champion hereby amends Section 908 of its Sewer Use Law and as amended restates as follows:

Grease, oil and sand interceptors shall be provided as they are necessary for the proper handling of wastewater containing excessive amounts of grease, flammable substances, sand or other harmful substances; except that such interceptors shall not be required for private living quarters or living units. Grease interceptors shall be installed in all commercial kitchen facilities. All interceptors shall be of type and capacity approved by the District Operator and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned and repaired regularly, as needed, by the owner, at his expense.

#### Grease Interceptors

- a) All food service establishments shall have grease-handling facilities approved by the District Operator. Establishments that do not adequately prevent floatable oils, fat or grease from entering the sewerage system shall be notified in writing and will be required to provide specific corrective actions that will be taken to eliminate such discharges and a schedule whereby corrections will be completed.
- b) All food service establishments' grease-handling facilities are subject to review, evaluation and inspection by the District Operator during normal working hours. Results of inspections will be made available to the facility owner.
- c) All grease traps/interceptors shall be designed in accordance with NYS Department of Environmental Conservation "Design Standards for Wastewater Treatment Works Intermediate Sized Sewerage Facilities", 1998 Edition or DEC recognized design standard.
- d) All grease traps/interceptors shall be designed and installed to allow for complete access for inspection and maintenance of the inner chamber(s) and viewing and sampling of effluent wastewater discharged to the sewer.
- e) Food service establishments receiving two (2) consecutive unsatisfactory evaluations or inspections are in non-compliance with the Sewer Use Law and are subject to fines. Continued violation may result in termination of sewer service.
- f) Food service establishments that cause or allow excessive grease to discharge or accumulate in the collection system may be liable for all costs related to service calls for line blockages, line cleanings, line and pump repairs, etc. including but not limited to labor, materials, and equipment. Failure to pay all service-related charges will result in suspension of service.
- g) Regularly scheduled maintenance of grease-handling facilities and equipment is required. The owner is responsible for removing and disposing of all materials that are collected in an interceptor prior to

wastewater entering the municipal system. The owner shall maintain on-site records of the means of disposal, date of disposal and amount disposed. Records shall be maintained for a period of three (3) years.

- h) The owner shall be responsible for ensuring that no waste or wastewater pumped from the grease interceptor/grease trap is reintroduced back into the interceptor.
- i) Any food service establishment with wastewater discharges that cause interference in the conveyance or operation of the sewerage system, as determined by the District Operator, may be required to perform analytical tests on grease trap discharges to characterize the wastewater. Sampling requirements will be directed by the municipality and all costs associated with analytical testing will be at the owner's expense.
- j) Food service establishments shall adopt procedures for handling sources of floatable oils, fats or grease originating within their facility. A notice shall be permanently posted at a prominent place in the facility advising employees of the procedures to be followed.
- k) Food service establishments shall develop and implement a Waste Minimization Plan pertaining to the disposal of grease, oils and food particles.

Article 4. - Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. - Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

**(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. 3 of 2006 of the ~~(County)(City)(Town)(Village)~~ of Champion was duly passed by the Town Board on July 10, 2006, in accordance with the applicable *(Name of Legislative body)* provisions of law.

**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 2006 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2006, and was (approved)( not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer) on \_\_\_\_\_ 2006, 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 2006 of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ Champion was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ and was (approved)~~(not approved)~~ (Name of Legislative Body) ~~approved~~ (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ (Elective Chief Executive Officer)

Such local law was submitted to the people by reason of a (mandatory)~~(permissive)~~ referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on November 2, 2006, 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 2006 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2006, and was (approved)( not approved) (repassed after disapproval) (Name of Legislative Body) by the \_\_\_\_\_ on \_\_\_\_\_ 2006. (Elective Chief Executive Officer)<sup>1</sup>

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2006, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2006 of the Town 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 town voting thereon at the (special)(general) election held on \_\_\_\_\_ 2006, became operative.

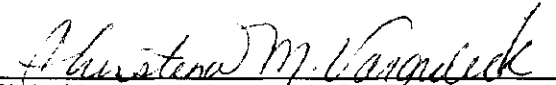
**6. (County local law concerning adoption of Charter.)**

<sup>1</sup> \* 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.

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 2006 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 the 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 \_\_\_\_\_, above.

  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body  
Christina M. Vargulick

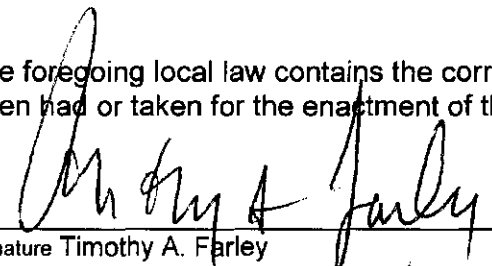
(Seal)

Date: 7-11-06

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

STATE OF NEW YORK  
COUNTY OF JEFFERSON

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.

  
Signature Timothy A. Farley  
Title: Town Attorney  
Town of Champion  
Date: 7/27/06