

*Monroe County
Clerk of the Legislature*

**Jack Moffitt
Clerk**



**David Grant
Deputy Clerk**

MEMORANDUM

TO: Legislators, Directors, Staff and Media

FROM: Jack Moffitt, Clerk of the Legislature

DATE: August 13, 2019

RE: Substitution of Referral No. 19-0197.LL

At the request of President Dr. Joe Carbone, referral no. 19-0197.LL entitled, "**Enact a Local Law Entitled "Regulation of Grease Trap Covers in Monroe County"**" has been replaced with the attached document.

Attachments



Office of the County Executive

MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

August 13, 2019

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, NY 14614

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|--|---------------|
| OFFICIAL FILE COPY | |
| No. | <u>190197</u> |
| Not to be removed from the Office of the Legislature Of Monroe County | |
| Committee Assignment | |
| URGENT | -L |

Subject: Enact a Local Law Entitled "Regulation of Grease Trap Covers in Monroe County"

Honorable Legislators:

I recommend that Your Honorable Body enact a Local Law regulating grease trap covers in Monroe County. This local law shall be known and may be cited as Bryce's Law.

A recent tragedy has highlighted the need for greater regulation of the safety and security of the covers of "grease traps" or "grease interceptors" in our community. In the wake of the recent loss of an area child, it was revealed that no agency or entity, at the state or local level, is explicitly responsible for the ongoing inspection of grease trap covers in New York State.

While Monroe County has not been and is not responsible for the ongoing inspection and enforcement of grease trap manhole covers, it is unacceptable that there are not uniform standards for this type of infrastructure across New York.

Until Albany takes action to provide clear statewide law or regulation, it is imperative that Monroe County take the lead to address this ambiguity under the law. I am therefore introducing for your consideration a new Local Law that will require specific safety and security standards for grease trap covers in Monroe County, while also ensuring compliance through regular inspections.

The specific legislative actions required are:

1. Schedule and hold a Public Hearing on the proposed Local Law.
2. Enact a Local Law regulating the use of Grease Traps in Monroe County.

Environmental assessments were completed for this action and it was determined that there would be no significant effect on the environment.

Funding for this Local Law is included in the 2019 operating budget of the Department of Public Health, general fund 9001, funds center 5806060000, Food Inspection Services. No additional net County support is required in the current Monroe County budget.

I recommend that this matter receive favorable action by Your Honorable Body.

Sincerely,



Cheryl Dinolfo
Monroe County Executive

By Legislators _____ and _____

Intro. No. ____

LOCAL LAW NO. __ OF 2019

ENACTING LOCAL LAW ENTITLED "REGULATION OF GREASE TRAP COVERS IN MONROE COUNTY"

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. This local law shall be known and may be cited as Bryce's Law.

Section 2. This local law shall apply to food service establishments permitted by the Monroe County Department of Public Health under New York State Sanitary Code Part 14-1 and Article VII of the Monroe County Sanitary Code that utilize grease traps and/or interceptors with manhole covers.

Section 3. Grease traps and/or interceptors with manholes shall be designed to withstand expected loads and prevent access by unauthorized individuals. A food service establishment shall insure that a grease trap and/or interceptor manhole cover is secured by a bolt or locking mechanism or shall have a cover of sufficient weight to prevent unauthorized access. Sufficient weight shall be calculated by the standard of a 59 pound cover for a 24 inch diameter opening, with the weight per square inch of the cover determined by the standard pound per square inch for the size opening. All grease traps and/or interceptors shall be installed and maintained in accordance with the manufacturers' recommendations.

Section 4. The Monroe County Department of Public Health shall inspect all food service establishments permitted by the Monroe County Department of Public Health that utilize grease traps and/or interceptors with manhole covers on an annual basis to assure compliance with this local law.

Section 5. All food service establishments utilizing grease traps and/or interceptors with manhole covers shall comply with Section 2 of this local law no later than sixty (60) days after the effective date of this local law. Enforcement of this local law shall be designated to the Monroe County Board of Health who shall follow its standard Administrative Hearing Procedure as detailed in Article I of the Monroe County Sanitary Code. Failure to comply with the requirements of Section 2 shall be subject to enforcement and/or penalties by the Monroe County Board of Health as prescribed in sections 569-9.1 and 569-9.2 of the Monroe County Sanitary Code.

Section 6. This local law shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this local law or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by Monroe County.

Section 7. This local law shall take effect immediately upon filing in the office of the Secretary of State.

Matter of Urgency
File No. 19-0197.LL

ADOPTION: Date: _____, 2019

Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

APR 13 11 08

See Substitution



Office of the County Executive

MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

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|--|
| OFFICIAL FILE COPY |
| No. <u>190197</u> |
| Not to be removed from the Office of the Legislature Of Monroe County |
| Committee Assignment |
| URGENT -L |

July 26, 2019

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, NY 14614

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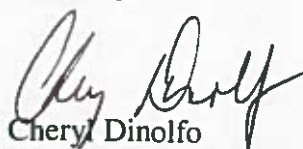
See Substitution

Monroe County Legislature
July 26, 2019
Page 2

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I recommend that this matter receive favorable action by Your Honorable Body.

Sincerely,



Cheryl Dinolfo
Monroe County Executive

See substitution

By Legislators _____ and _____

Intro. No. ____

LOCAL LAW NO. __ OF 2019

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BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. This local law shall apply to food service establishments permitted by the Monroe County Department of Public Health under New York State Sanitary Code Part 14-1 and Article VII of the Monroe County Sanitary Code that utilize grease traps and/or interceptors with manhole covers.

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Matter of Urgency
File No. 19-0____LL

ADOPTION: Date: _____, 2019

Vote: ____

2019 JUN 28 3 35

Sec Substitution

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

APR 28 8:35