

MARINA COAST WATER DISTRICT  
ORDINANCE NO. 65

AN ORDINANCE AMENDING TITLE 5, SEWER SERVICE SYSTEM  
CHAPTER 5.20, SECTIONS 5.20.050, 5.20.060,  
AND, ADDING SECTIONS 5.20.045, 5.20.062, 5.20.065 TO THE DISTRICT CODE

Be it ordained by the Board of Directors of  
Marina Coast Water District  
as follows:

Section 1. Authority. This Ordinance is enacted pursuant to Sections 30000 and following the California Water Code, and Section 6 of Article XIII D of the California Constitution.

Section 2. Findings.

- A. This ordinance is considered for action by the Board of Directors at a regularly scheduled and noticed meeting. The agenda was posted in accordance with the Brown Act with an opportunity for public review in advance of the meeting and public comment during consideration of the ordinance by the Board. The District has complied with the publication, notice, and hearing requirements of Section 50022.3 of the California Government Code.
- B. The District operates its Sewer System in accordance with the State Water Resources Control Board's Water Discharge Requirements. In 2003, the Board of Directors amended Ordinance No. 2 (1967) by adopting Ordinance No. 38, in order to address the discharge of Fats, Oils and Grease (FOG) into the District's Sewer System. The Board of Directors desires to update FOG requirements as set forth herein for the protection of public health and safety.
- C. The Board of Directors finds that it is in the best interests of the District to adopt this ordinance.

Section 3. Purpose of Ordinance. The purpose of this Ordinance is to amend sections 5.20.050, and 5.20.060, and add sections 5.20.045, 5.20.062, and 5.20.065.

Section 4. General Provisions. Chapter 5.20 is hereby amended to read as follows:

**5.20.045 Definitions.**

- A. Grease Trap - a grease trap is multi-baffle compartment located within a food preparation area and under a sink which has a smaller volume capacity in order to remove fats, oil and grease.
- B. Grease Interceptor - a grease interceptor is a fats, oil, and grease separating structure, located outside of a building, underground, and is designed with a minimum of a two-baffled tank.

**5.20.050 Grease trap, grease interceptor or other device required.**

- A. All food service establishments discharging fats, oil, grease or other similar material shall have an operable and properly sized grease interceptor, as determined by the district. All grease interceptors shall be of a type and capacity approved by the general manager or their designee and shall be so located as to be readily and easily accessible for cleaning and inspection.
  - 1. Existing food service establishments with an existing and operable grease trap will be permitted to continue operating, provided the establishment properly maintains its grease trap and provides documentation to the district. Should the establishment fail to properly maintain its grease trap, then the district will require the installation of a grease interceptor per section 5.20.065.
    - a. Any existing food service establishment that changes property ownership or type of use shall be required to install the appropriate grease interceptor as required by the district.
- B. All drains from food preparation and clean-up areas, including, but not limited to, pre-wash sinks, floor drains, food waste disposal units, pots and pans sinks, scullery sinks and garbage can wash areas shall be connected to such grease trap or grease interceptor.
  - 1. The customer or property owner shall ensure that no wastewater flows from toilets, urinals or similar fixtures shall pass through a grease trap or grease interceptor.
- C. Sizing Formula. The size of a grease trap or grease interceptor shall be as determined by the district. Notwithstanding the foregoing, grease traps required by this chapter shall be no smaller than an eighty gallon capacity grease trap with a seventy-five gallon per minute flow rate and grease interceptors shall have a minimum capacity of 750 gallons.
- D. Existing grease traps, grease interceptors or similar devices. All existing grease traps, grease interceptors or similar devices shall comply with these requirements or be subject to enforcement as set forth herein.

#### **5.20.060 Maintenance of grease traps and grease interceptors.**

- A. Grease traps and grease interceptors shall be maintained by the customer or property owner, at their expense, and shall continuously operate efficiently at all times. The customer or property owner shall periodically remove accumulated grease from the trap or interceptor. No collected grease shall be introduced into any public or private drainage piping.
- B. Grease traps shall be pumped when the combined surface grease and the solids at the bottom reach twenty-five percent or at a minimum frequency once every three months, whichever occurs first. The district in its discretion may require more frequent pumping based on the flow rates and the amount of fats, oils, and grease discharged by the food service establishment.
- C. Grease interceptors shall be pumped when the combined surface grease and the solids at the bottom reach twenty-five percent or at a minimum frequency once every three months, whichever occurs first. The district in its discretion may require more frequent pumping based on the flow rates and the amount of fats, oils, and grease discharged by the food service establishment.

- D. All grease, including fats, oil or other similar material in grease traps and grease interceptors shall be removed by a waste hauler that specializes in the removal of grease, and each said hauler shall provide the customer or property owner with a signed certification manifest for the removal of waste. Customer or property owner shall ensure that haulers measure the percentage of accumulated and floating grease and the customer or property owner shall provide that documentation to the district. Customer or property owner is responsible for ensuring that all manifests shall be provided to the district and uploaded to the district's compliance program. All pump-out and servicing records shall be maintained by the customer or property owner for a minimum of three years and be available upon request by the district.
- E. Any grease trap or grease interceptor required by this chapter shall be readily accessible for inspection and properly maintained to assure that accumulations of grease or oil do not impair its efficiency or transport grease or oil into the sewer system.
- F. The district shall perform grease trap and grease interceptor inspections bi-annually or more often, at the customer or property owner's expense, and at the discretion of the district should maintenance reports not be received or should a grease trap or grease interceptor fail to operate properly.
- G. Access to a premise for the inspection of grease traps and grease interceptors during normal working hours shall not be denied. If access to a premise or building within a premise is denied for the purposes of grease traps or grease interceptor inspections, the district may terminate services in accordance with section 5.20.065.

#### **5.20.062 Fees.**

- A. Any food service establishment that is required to have a grease trap or grease interceptor shall pay a compliance fee to the district as established by resolution. All such fees shall be sufficient to cover the costs of all services required for the inspection and documentation of grease hauling and maintenance activities.

#### **5.20.065 Enforcement**

- A. If the district determines that any food service establishment is not maintaining its grease trap or interceptor per 5.20.060, the food service establishment shall receive an initial first warning, which will provide the food service establishment seventy-two hours to comply.
- B. If the food service establishment has not complied with the initial first warning, the district will then provide a final, twenty-four-hour notice to comply.
- C. In the event the food service establishment fails to comply with the final notice, the district may terminate water service to the premises.
- D. If the district determines that the food service establishment is still conducting business that is generating sewage waste, the district may terminate sewer services to the premises in accordance with 5.08.070.

- E. The customer or property owner shall be responsible for all disconnection and reconnection fees associated with 5.20.065 C and D. No building shall be occupied until the property owner has complied with all rules and regulations per 5.08.050.
- F. In the event of an occurrence of any condition in A through E above, the district may require the immediate installation of a grease interceptor, if only a grease trap is installed, as a condition of continued water and wastewater services.
- G. If the district determines that a sewer spill results due to a customer's inadequate maintenance of their grease trap or grease interceptor, or improper disposal of fats, oil, grease, or debris, the customer or property owner will be required to reimburse the district at the district's then-in-effect rates for all labor, material, and equipment required to remedy the sewer spill. If the sewer spill results in fines from any regulatory agency, the customer or property owner shall be responsible for all costs associated with the fines, including attorney fees.
- H. All notices hereunder shall be provided to the customer and property owner. In the event sewer or water service is terminated due to a violation of this ordinance, the district will notify the local health department.

Section 5. Enforcement and Administration. The General Manager and all officers and employees of the District, including all ex-officio officers and employees, shall enforce all the provisions of this Ordinance. The General Manager shall implement and administer this Ordinance. The General Manager shall report to the Board all factors which affect the implementation of this Ordinance and shall maintain a separate file of violations of this Ordinance and a file of any requests for variances from this Ordinance.

Section 6. Effective Date. All sections of this Ordinance shall be in full force and effect 30 days after its final passage in accordance with section 36937 of the California Government Code.

Section 7. Publication and Posting. Within 15 days after adoption, the district shall publish, in a newspaper published in Monterey County and circulated within the district, this ordinance with the names of those directors voting for and against adoption, and shall post in the district office a certified copy of the full text of this ordinance as adopted along with the names of those directors voting for and against adoption.

Section 8. Interpretation. Words and phrases used in this ordinance shall be read conjunctively with and shall have the same meaning as in prior district ordinances and the district Code, unless specifically changed by this ordinance or unless the context requires some other construction. If there is any inconsistency between this ordinance and prior provisions, this ordinance shall control.

On motion of President Morton, seconded by Director Moore; the foregoing Ordinance is enacted and shall take effect upon adoption by the following roll call of the Board:

Ayes:	<u>Imamura, Moore, Smith, Shriner, Morton</u>
Nays:	<u>None</u>
Absent:	<u>None</u>
Abstained:	<u>None</u>

By Gail Morton /s/  
Gail Morton, President

ATTEST:

Remleh Scherzinger /s/  
Remleh Scherzinger, Secretary

#### CERTIFICATE OF SECRETARY

The undersigned hereby certifies that the foregoing Ordinance No. 65 was adopted and approved by the Board of Directors at their regular meeting on November 17, 2025.

Remleh Scherzinger /s/  
Remleh Scherzinger, Secretary