

1 **HAMPTON ROADS FOG MODEL ORDINANCE**  
2

3 **FATS, OILS, AND GREASE (FOG)**  
4

5 **SECTION 1. PURPOSE AND APPLICABILITY**

- 6 a. The purpose of this Division is to aid in preventing the introduction and accumulation of  
7 fats, oils, and grease into the City/County/Town's sanitary sewer system that may  
8 contribute to sanitary sewer blockages and obstructions. Food service establishments,  
9 grease haulers and other industrial or commercial establishments generating or collecting  
10 wastewater containing fats, oils, and grease are subject to this Division. This Division  
11 regulates such users by requiring that grease control devices and other approved strategies  
12 be installed, implemented and maintained in accordance with the provisions of this  
13 Division and other applicable requirements of the City/County/Town of \_\_\_\_.
- 14 b. The provisions of this Division shall apply to all food service establishments within the  
15 City/County/Town of \_\_\_\_ and to all grease haulers providing service to any such food  
16 service establishment.

17 **SECTION 2. DEFINITIONS**  
18

19 Automatic Grease Removal Device (AGRD) shall mean an active, automatic device that separates  
20 and removes FOG from effluent discharge and cleans itself of accumulated FOG at least once  
21 every twenty-four hours utilizing electromechanical apparatus. Unless otherwise approved,  
22 AGRDs shall not be installed.  
23

24 Brown Grease shall mean floatable fats, oils, grease and settled solids produced during food  
25 preparation that are recovered from grease control devices.  
26

27 Commissary shall mean a catering establishment, food service establishment, or any other place in  
28 which food, food containers, or supplies are kept, handled, prepared, packaged, or stored for  
29 distribution to satellite operations.  
30

31 Core Sampler shall mean a sampling tool, i.e. Sludge Judge, Dipstick Pro or equivalent, designed  
32 to take accurate readings of settleable solids, in a variety of liquids, to any depth.  
33

34 Decanting shall mean discharging of removed wastewater back into the grease control device, for  
35 the purpose of reducing the volume to be hauled or for recharging the grease control device.  
36

37 Enforcement Response Plan shall mean a system that sets forth the process and procedures for  
38 enforcement of this section by the City/County/Town of \_\_\_\_.  
39

40 Fats, Oils, and Grease (FOG) shall mean material, either liquid or solid, composed of fats, oils or  
41 grease from animal or vegetable sources. Examples of FOG include, but are not limited to, kitchen  
42 cooking grease, vegetable oil, bacon grease and organic polar compounds derived from animal  
43 and/or plant sources that contain multiple carbon triglyceride molecules. These substances are

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44 detectable and measurable using analytical test procedures established in the United States Code of  
45 Federal Regulations at 40 CFR Part 136, as may be amended from time to time. FOG may be  
46 referred to herein as “grease” or “greases”.

47  
48 *Food Service Establishment (FSE)* shall mean any commercial, industrial, institutional, or food  
49 processing facility discharging kitchen or food preparation wastewaters including, but not limited  
50 to, restaurants, commercial kitchens, caterers, motels, hotels, cafeterias, correctional facilities,  
51 prisons or jails, cafeterias, care institutions, hospitals, schools, bars and churches. Any  
52 establishment engaged in preparing, serving or otherwise making food available for consumption  
53 by the public shall be included. Such establishments use one or more of the following preparation  
54 activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie  
55 cooking, broiling, boiling, blanching, roasting, toasting, or poaching. Also included are infrared  
56 heating, searing, barbecuing, and other food preparation activity that produces a hot, non-drinkable  
57 food product in or on a receptacle that requires washing.

58  
59 *Grease Control Device (GCD)* shall mean a device used to collect, contain, or remove food waste  
60 and grease from the wastewater while allowing the remaining wastewater to be discharged to the  
61 **City/County/Town’s** sanitary sewer system by gravity. Devices include hydromechanical grease  
62 interceptors, ~~grease traps~~, automatic grease removal devices, gravity grease interceptors, or other  
63 devices approved by the **Director of Public Utilities**.

64  
65 *Gravity Grease Interceptor (GGI)* shall mean a plumbing appurtenance of not less than 500250  
66 gallons (1893946 L) capacity that is installed in the sanitary ~~drain~~sewer system to intercept  
67 free-floating fats, oils and grease from waste water discharge. Separation is accomplished by  
68 gravity during a retention time of not less than 30 minutes. Unless otherwise approved, GGIs shall  
69 not be installed.

70  
71 *Grease Hauler* shall mean a contractor who collects the contents of a ~~grease intercepter or~~  
72 ~~trap~~grease control device or yellow grease storage container and transports it to an approved  
73 recycling or disposal facility. –A grease hauler may also provide other services related to grease  
74 ~~intercepter control device~~ maintenance for a food service establishment.

75  
76 ~~*Grease Interceptor* shall mean a structure or device, usually located underground and outside a~~  
77 ~~FSE, designed to collect, separate and contain food waste and grease while allowing the~~  
78 ~~wastewater to be discharged to the **City/County/Town’s** sanitary sewer system by gravity.~~

79  
80 ~~*Grease Removal Device (GRD)* shall mean an active, automatic device that separates and removes~~  
81 ~~FOG from effluent discharge and that cleans itself of accumulated FOG at least once every twenty-~~  
82 ~~four hours utilizing electromechanical apparatus. Unless otherwise approved, GRDs shall not be~~  
83 ~~installed.~~

84  
85 ~~*Grease Trap* shall mean a device typically located indoors and under the sink or in the floor,~~  
86 ~~designed for separating and containing grease prior to the wastewater exiting the trap and entering~~  
87 ~~the sanitary sewer system. Such devices are typically passive (gravity fed) and compact with~~  
88 ~~removable baffles.~~

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90 Hampton Roads Regional Technical Standards for the Sizing of Grease Control Devices shall  
91 mean a set of regionally-approved standards required to properly size grease control devices.

92  
93 HR FOG Program shall mean the regionally-approved Hampton Roads FOG training and  
94 certification programs for food service establishment employees and grease haulers administered  
95 by the Hampton Roads Planning District Commission (HRPDC).

96  
97 Hydromechanical Grease Interceptor (HGI) shall mean a plumbing appurtenance that areis  
98 installed in the sanitary drainagesewer system to intercept free-floating fats, oils and grease from  
99 waste water discharge. Continuous separation is accomplished by air entrainment, buoyancy,  
100 interior baffling in combination or separately, and one of the following:

- 101 (1) Units directly connected, with an external flow control, with an air intake (vent)
- 102 (2) Units directly connected, with an external flow control, without an air intake (vent)
- 103 (3) Units directly connected, without an external flow control, with or without internal flow  
104 control
- 105 (4) Units indirectly connected, without an external flow control, with or without internal flow  
106 control

107  
108 Mobile Food Unit shall mean a food service establishment that is readily moveable from place to  
109 place at all times during operation and shall include but not limited to pushcarts, trailers, trucks,  
110 vans, or boats.

111  
112 Renderable FOG-Yellow Grease Container shall mean a closed, leak-proof container for the  
113 collection and storage of yellow grease.

114  
115 Sanitary Sewer System shall mean a system of underground pipes that carries wastewater from  
116 bathrooms, sinks, kitchens, and other plumbing components to a wastewater treatment plant where  
117 it is filtered, treated and discharged.

118  
119 Stormwater System shall mean a network of structures, channels and underground pipes designed  
120 to carry stormwater (rain water) to ponds, lakes, streams, rivers and other surface waters.

121  
122 Yellow Grease shall mean FOG used in food preparation that have not been in contact or  
123 contaminated with other sources such as water, wastewater or solid waste. An example of yellow  
124 grease is fryer oil, which can be recycled into products such as animal feed, cosmetics and  
125 alternative fuel. ~~Yellow grease is also referred to as renderable FOG.~~

### 126 127 128 SECTION 3. REGISTRATION REQUIREMENTS

129 All FSEs shall be required to register their establishment and GCDs with the FOG discharge  
130 management department. -Registrations shall be on forms provided by the Department of Public  
131 Utilities to ensure that the establishment understands its compliance responsibilities, that their such  
132 devices-GCDs are properly sized and maintained, as well as to facilitate inspection in accordance  
133 with the requirements established by the Department of Public Utilities.

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134 a) Registration of FSEs with the FOG discharge management department is required before a  
135 business license will be issued.

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136 a)b) Existing FSEs shall register all GCDs within ninety (90) days of the adoption of this  
137 ordinance. -New establishments shall register when setting up their water and sewer service  
138 or prior to obtaining a certificate of occupancy.

139 b)c) All grease haulers, owners, or employees servicing GCDs for FSEs within the  
140 City/County/Town shall be required to obtain a certification to service GCDs from the  
141 Hampton Roads FOG regionally approved training program provided by the HRPDCHR  
142 FOG Program.

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143 e)d) All grease haulers shall comply with the requirements of the Hampton Roads Regional  
144 Pumper Management Program and obtain the required permits, certifications and or  
145 approvals from the facility in which waste will be disposed of. Grease haulers discharging to  
146 a Hampton Roads Sanitation District (HRSD) treatment plant shall be approved through  
147 themust obtain an HRSD Indirect Wastewater Discharge Permit.

Commented [K2]: Need clarification on this before inclusion

148 e)e) FSEs shall have a current employee who has successfully completed the Hampton  
149 RoadsHR FOG regionally approved Best Management Practices training program provided  
150 by the HRPDCProgram.

#### 151 SECTION 4. DISCHARGE LIMITS

152  
153 No person shall discharge or cause to be discharged from any FSE any wastewater with  
154 FOG in concentrations or quantities that will damage the sewers or sanitary sewer system, as  
155 determined by Section 301 D. of the Hampton Roads Sanitation District's Industrial Wastewater  
156 Discharge Regulations.  
157

#### 158 SECTION 5. GREASE CONTROL DEVICES

159 e-a. Requirements. All FSEs shall have a GCD(s) meeting all applicable requirements for  
160 testing and certification of the International Plumbing Code or its successors ASME  
161 A112.14.3, PDI G101, ASME A112.14.4, or CSA B481. The GCD(s) shall be designed  
162 sized and selected in accordance with the Hampton Roads Regional Grease Control  
163 Device Design Standards Technical Standards for the Sizing of Grease Control Devices.

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164 1) New Establishments – Except as provided in subdivision (a) (2), FSEs shall be  
165 required to install, operate, and maintain a GCD in compliance with the  
166 requirements contained in this Division Section. -GCDs shall be installed and  
167 registered prior to the issuance of a certificate of occupancy.

Commented [KL3]: I don't like the use of the term Division used like this. Section is preferred.

168 2) Existing Establishments – Existing FSEs in operation as of the effective date of  
169 this Division Ordinance shall be allowed to operate and maintain their existing  
170 GCDs, provided such GCDs are in proper operating condition and not found to be  
171 contributing FOG in quantities sufficient to cause line stoppages or to necessitate  
172 increased maintenance of the sanitary sewer system. -If its GCD is determined to  
173 be contributing FOG in quantities sufficient to cause line stoppages or to

Commented [KL4]: I don't like the use of the term Division used like this. Ordinance is preferred.

necessitate increased maintenance of the sanitary sewer system, an existing FSE shall comply with the requirements of this Section. ~~Existing FSEs that are renovated or expanded shall install a GCD meeting the requirements of this Division Section.~~ ~~GCDs shall be sized and selected in accordance with the Hampton Roads Regional Technical Standards for Grease Control Devices, permitted, registered, installed, and inspected and registered as a condition of final approval of such renovation or expansion.~~

**Commented [KL5]:** I don't like the use of the term Division used like this. Section is preferred.

- 3) *Retrofit* - Any existing FSE may be required to install or upgrade a GCD if such FSE is contributing FOG to the sanitary sewer system, as determined by the locality and HRSD. Such devices shall be registered with the locality within 30 days of installation and shall comply with the requirements of this Section.

d.c. *Installation of Grease Control Devices*

1) GCDs shall be installed by a plumber licensed in the Commonwealth of Virginia. Every GCD shall be installed and connected so that it may be readily accessible for inspection, cleaning, and removal of the intercepted food waste and grease at any time. Installation shall be in compliance with the International Virginia Plumbing Code and the manufacturer's instructions, the Hampton Roads Regional Technical Standard for Grease Control Devices, and the manufacturer's instructions.

2) GCD covers shall meet the following load rating requirements:

- i. Indoor, foot traffic only, minimum 300 pounds
- ii. Indoor, pallet jack or fork lift traffic, minimum 2000 pounds
- iii. Outdoor, non-vehicular traffic, minimum 2000 pounds
- iv. Outdoor, vehicular traffic, minimum AASHTO M306 H20/HS20

3) GCD's shall have their manhole covers secured at all times with bolts, or locking mechanisms, or shall be of sufficient weight to prevent unauthorized access, or shall have a safety apparatus secured in place under the cover to prevent accidental entry if the cover is not secured in place.

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**Commented [KL6]:** There have been several instances in the last few years of children falling into outdoor grease interceptors and we need to put in language to prevent or significantly reduce the opportunities for that to happen.

e.d. *Maintenance of Grease Control Devices*

1) All GCDs shall be maintained at the owner's expense. Maintenance shall include the complete removal of all contents, including floating material, wastewater and settled solids. Decanting or discharging of removed waste back into the grease interceptor or private sewer line or into any portion of the **City/County/Town's** or HRSD's sanitary sewer system is prohibited. Unless otherwise approved, GCDs shall be maintained by a Grease Hauler that is certified by the Hampton Roads FOG regionally approved training program provided by the HRPDCHR FOG Program.

2) Gravity Grease Interceptors shall be pumped out completely when the total accumulation of FOG, including floating solids and settled solids, reaches twenty-five percent (25%) of the overall liquid volume. At no time shall a GGICD be cleaned less frequently than once every three (3) months **unless approved by the Director of Public Utilities**, ~~unless allowed by the Director of Public Utilities for good cause shown. Approval will be granted on a case by case basis upon submittal of a request by the FSE, documenting reasons for the proposed frequency variance.~~

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Commented [KL7]: The biology of any grease interceptor grows increasingly hostile to collection and treatment systems over time. 90 days should be the maximum allowable interval between cleanings, regardless of hte

3) ~~Grease traps and Automatic Grease Removal Devices~~ shall be opened daily to clean out the solids basket; the external grease container shall be emptied at a minimum of once daily. Inspected and completely cleaned ~~of~~ food solids and FOG a minimum of once per week **unless otherwise allowed by the Director of Public Utilities**, ~~unless allowed by the Director of Public Utilities for good cause shown. Approval will be granted on a case by case basis upon submittal of a request by the FSE, documenting reasons for the proposed frequency variance.~~ In no event shall the content of food solids and FOG exceed twenty-five percent (25%) of the overall liquid depth of the device.

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Commented [KL8]: GRDs are not properly maintained on a routine basis. Allowing them to be maintained less often than once per week will invite bypass and non-compliance.

4) Hydromechanical Grease Interceptors shall be cleaned before their maximum capacity is reached as established by the manufacturer in accordance with third party validated test reports. The maintenance frequency shall be determined in accordance with the sizing and selection requirements for HGI in the Hampton Roads Regional Technical Standards for the Sizing of Grease Control Devices. At no time shall a HGI be cleaned less frequently than once every three (3) months, **or as approved by the Director of Public Utilities**.

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4)5) The **Director of Public Utilities** may establish a more frequent cleaning schedule if the FSE is found to be contributing FOG ~~in quantities sufficient to cause line stoppages or to necessitate increased maintenance of~~ the sanitary sewer system.

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f.e. *Use of Additives*

The use of additives by FSEs including, but not limited to, products that contain solvents, emulsifiers, surfactants, caustics, acids, enzymes or bacteria are prohibited for use as grease management control; provided, however, that additives may be used to clean the FSE drain lines so long as the usage of such additives will not cause FOG to be discharged from the grease control device to the sanitary sewer system. ~~The~~ use of additives shall not be substituted for the maintenance procedures required by this Section.

f.f. *Waste Disposal*

1) ~~Waste removed from a grease trap shall be disposed of in the solid waste disposal system or by a grease hauler certified by the Hampton Roads Planning District Commission.~~

Commented [KL9]: Edits to the ordinance are removing references to "traps" throughout. All grease interceptors, regardless of type should have their contents disposed of at a facility permitted to receive such waste and NOT to landfill. The new Greasezilla system the HRSD is putting in, is just such a place.

253 1) Waste removed from a ~~g~~Grease ~~C~~ontrol ~~D~~evice ~~interceptor~~ shall be disposed  
254 of at a facility permitted to receive such wastes. ~~Waste material removed from~~  
255 ~~GCD(s) shall not be discharged directly or indirectly into any portion of the~~  
256 ~~sanitary sewerage system, private sewer line, stormwater system, or returned to~~  
257 ~~any GCD. No materials removed from interceptors shall be returned to any grease~~  
258 ~~interceptor, private sewer line or into any portion of the City/County/Town's or~~  
259 ~~HRSD's sanitary sewer system.~~

260 2)i. ~~FSEs approved for self-cleaning shall dispose of the waste in accordance~~  
261 ~~with the requirements contained in the Hampton Roads Regional Technical~~  
262 ~~Standards for Grease Control Devices Appendix C.~~

263 3) FSEs shall dispose of yellow grease in a renderable ~~FOG-yellow grease~~ container,  
264 where contents will not be discharged to the environment. ~~Yellow grease shall not~~  
265 ~~be poured or discharged into the City/County/Town's or HRSD's sanitary sewer~~  
266 ~~system. Renderable FOG containers shall be labeled with the following~~  
267 ~~information:~~

268 i. ~~Name of company supplying the container(s)~~

269 ii. ~~Phone number of company supplying the container(s)~~

270 iii.2) ~~Name of the FSE where the container has been placed~~

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**Commented [K10]:** We would like to move this under  
SECTION 6 – Hauler Requirements

271 h.g. *Inspection of Grease Control Devices*

272 The ~~Director of Public Utilities~~ or his designee shall have the right of entry into any FSE,  
273 during reasonable hours, for the purpose of making inspections, observation,  
274 measurements, sampling, testing or records review of the sanitary sewer system and GCDs  
275 installed in such building or premise to ensure that the FSE is in compliance with this  
276 ~~Division~~Section. The owner or occupant may accompany the Director or his designee.  
277 Operational changes, maintenance and repairs required by the Director or his designee shall  
278 be implemented as noted in the written notice received by the FSE.

**Commented [KL11]:** Section is the appropriate term.

279 g.h. *Record Keeping*

280 1) FSEs shall retain and make available for inspection and copying records of all  
281 cleaning and maintenance for the previous three (3) years for all GCDs. ~~FSEs~~  
282 ~~utilizing professional grease hauling services should provide cleaning and~~  
283 ~~maintenance records meeting the requirements as outlined in Section 6. Where~~  
284 ~~approved, FSEs performing GCD cleaning and waste disposal should provide~~  
285 ~~cleaning and maintenance records as required by the Director of Public Utilities or~~  
286 ~~his designee. Cleaning and maintenance records shall include, at a minimum, the~~  
287 ~~dates of cleaning/maintenance records, the names and business addresses of the~~  
288 ~~company or person performing each cleaning/maintenance and the volume of~~  
289 ~~waste removed in each cleaning.~~ Such records shall be kept on site and shall be  
290 made immediately available to any employee of the ~~Department of Public Utilities~~  
291 upon request.

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2) FSEs shall retain and make available for inspection and copying records of yellow grease disposal for the previous three (3) years. ~~FSEs utilizing professional yellow grease rendering services should provide service records meeting the requirements as outlined in Section 6. Yellow grease disposal logs shall include, at a minimum, the dates of disposal, name and business address of the company or person performing the disposal and the volume of yellow grease removed in each cleaning.~~ Such records shall be kept on site and shall be made immediately available to any employee of Department of Public Utilities upon request.

### SECTION 6. GREASE HAULER REQUIREMENTS

- a. Any person collecting, pumping or hauling waste from GCDs or yellow grease containers located within the municipal boundaries of the City/County/Town shall be certified by the Hampton Roads HR FOG regionally approved training program provided by the HRPDC Program, and shall comply with the requirements of the Hampton Roads Pumper Management Program and hold all required waste hauling permits.
- b. The grease hauler shall notify the locality within twenty-four (24) hours of any incident required to be reported to the Virginia Department of Environmental Quality.
- c. Grease haulers shall retain and make available for inspection and copying, all records related to grease interceptor pumping and waste disposal from businesses located in the City/County/Town's wastewater service area. ~~Records shall include waste manifests that, at a minimum, Records shall include, at a minimum, the dates of cleaning/maintenance, the name and business address of the company providing the service, the name of the technician(s) performing the service and their associated HR FOG Program certification number(s), the condition of the GCD, the volume of waste removed in the cleaning, and the following sludge judge measurements (in inches): total depth, depth of solids, and depth of grease, and anticipated~~ include time, date and volume of waste removed from the device and the time, date, volume and destination of the waste disposed disposal. Photos of the GCD before and after cleaning are ~~These~~ recommended. These records shall remain available for a period of at least three (3) years. ~~The~~ City/County/Town may require additional record keeping and reporting, as necessary, to ensure compliance with the terms of this Division.
- d. ~~Yellow grease rendering companies shall retain and make available for inspection and copying, all records related to yellow grease collected from businesses located in the~~ City/County/Town's wastewater service area. ~~Yellow grease disposal logs shall include, at a minimum, the dates of pickup, name and business address of the company and person performing the pickup, the volume of yellow grease removed, and anticipated destination of the yellow grease.~~
- e. Submission of all reporting shall be as follows:
  - 1) Name of form by mail, email or fax
  - 2) Approved electronic method

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331 f. Renderable yellow grease containers shall be labeled with the following information:

332 1) Name of company supplying the container(s)

333 2) Phone number of company supplying the container(s)

334 e-3) Name and/or address (including unit number) of the FSE where the  
335 container has been placed

336  
337 **SECTION 7. FEES**

338 a. Fees provided for in this Division are separate and distinct from all other fees chargeable  
339 by the **City/County/Town**. Fees applicable to this Division are as follows:

340 1) FSE registration fees shall be in the amount of \_\_\_\_\_ and shall be  
341 payable at the time of submittal of the registration

342 2) FSE inspection and re-inspection fees shall be in the amount of \_\_\_\_\_  
343 and shall be due upon invoice by the **City/County/Town**. Such fees may be added  
344 to the FSE's **public service utility bill**.

345 **SECTION 8. COMPLIANCE**

346 A. The **City/County/Town** may require existing FSEs to modify or repair any noncompliant  
347 GCD and appurtenances as noted in the written notice received by the FSE.

348  
349 **SECTION 10. VIOLATIONS & PENALTIES**  
350

351 a) Any person who, intentionally or otherwise, commits any of the acts prohibited by this  
352 ordinance shall be liable to the **City/County/Town** for all costs of containment, cleanup, abatement,  
353 removal and disposal of any substance unlawfully discharged into the sanitary sewer system, as  
354 well as the costs of any damages or regulatory fines, that are proximately caused by such  
355 violations.

356 b) Any person who, intentionally or otherwise, commits any of the acts prohibited by this  
357 Division shall be subject to a fine in an amount not to exceed one thousand dollars (\$1,000.00) per  
358 violation. The court assessing such fines may, at its discretion, order such fines to be paid into the  
359 treasury of the **City/County/Town** for the purpose of abating, preventing or mitigating  
360 environmental pollution.

361 c) Enforcement will be in accordance with the associated Enforcement Response Plan  
362 **(NOTE: Some jurisdictions may want to incorporate the ERP into the ordinance while others may**  
363 **adopt the ERP administratively).** -The **City/County/Town** may **revoke the FSEs business license,**  
364 **withhold reissuance of a business license, or** terminate water and/or sewer services for continuing  
365 violations of this ~~Division~~ Ordinance.

366 d) In addition to any other remedy for the violation of this Division, the **Director** may bring  
367 legal action to enjoin the continuing violation of this ordinance, and the existence of any other  
368 remedy, at law or in equity, shall be no defense to any such action.

369 e) The remedies set forth in this section are cumulative, not exclusive; and it may not be a  
370 defense to any action, civil or criminal, that one (1) or more of the remedies set forth herein has  
371 been sought or granted.

372 **SECTION 11 EFFECTIVE DATE**

373 This Division shall become effective on \_\_\_\_\_.

DRAFT