

**BOROUGH OF SUSSEX  
COUNTY OF SUSSEX  
ORDINANCE NO. 2023-04**

**AN ORDINANCE AMENDING SECTION 13-9, ENTITLED “GREASE TRAP REQUIREMENTS”, OF CHAPTER 13, ENTITLED “WATER AND SEWER”, OF THE CODE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY.**

**BE IT ORDAINED** by the Borough Council of the Borough of Sussex, in the County of Sussex and State of New Jersey, as follows:

**SECTION 1.** Paragraph (a) of Subsection 13-9.1, entitled “Applicability and Prohibitions.” of Section 13-9, entitled “Grease Trap Requirements” of Chapter 13, entitled “Water and Sewer”, be and is hereby amended to read as follows:

- a. This section shall apply to all users of the Sussex Borough Municipal Sanitary Sewer System subject to the limitations set forth in this subsection.

**SECTION 2.** Paragraph (c) of Subsection 13-9.1, entitled “Applicability and Prohibitions.” of Section 13-9, entitled “Grease Trap Requirements” of Chapter 13, entitled “Water and Sewer”, be and is hereby amended to read as follows:

- c. The requirements of this section shall apply to both new and existing facilities, as detailed in 13-9.3(a) "Installations," generating fats, oils, or greases as a result of food manufacturing, processing, preparation, or food service. These facilities include but are not limited to restaurants, food manufacturers, food processors, hospitals, hotels and motels, prisons, nursing homes, and any other facility preparing, serving, or otherwise making any foodstuff available for consumption.

**SECTION 3.** The definition of “Municipal Sanitary Sewer System” contained in Subsection 13-9.2, entitled “Definitions.” of Section 13-9, entitled “Grease Trap Requirements” of Chapter 13, entitled “Water and Sewer”, is hereby amended to read as follows:

**MUNICIPAL SANITARY SEWER SYSTEM**

Shall mean a treatment works which is owned by the municipality as defined by section 502(4) of the Clean Water Act. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes and other conveyances that convey wastewater to a publicly owned treatment works treatment plant. The publicly owned treatment works term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. For purposes of this section, the municipal sanitary sewer system shall refer to the sanitary sewer collection system owned and operated by Sussex Borough, which collects and conveys flow to the Sussex County Municipal Utilities Authority for additional conveyance and treatment. The use of the term municipal sanitary sewer system in this section shall also refer to the employees of the Borough and/or operators of this system, and also the Borough Code Enforcement Officer and construction and plumbing subcode officials (including code officials of neighboring municipalities in which the Borough has a shared services agreement), as well as the Borough Engineer, Borough Utility Engineer and appointed consultant engineers and system operators.

**SECTION 4.** Subparagraph (3) of Paragraph (a) of Subsection 13-9.3, entitled “Installation and Maintenance Requirements.” of Section 13-9, entitled “Grease Trap Requirements” of Chapter 13, entitled “Water and Sewer”, be and is hereby amended to read as follows:

3. Existing Facilities Without Grease Interceptors. Any existing facility which has been or will be expanded or renovated to include a food service component where such food service component did not previously exist, shall comply with the requirements applicable to new facilities set forth in Section 13-9.3(a)(1).

**SECTION 5.** If any article, section, subsection, paragraph, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**SECTION 6.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 7.** This Ordinance shall take effect immediately upon final passage and publication according to law.

Attest:

\_\_\_\_\_  
Antoinette Smith, Borough Clerk

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Edward Meyer, Mayor

**NOTICE**

PLEASE TAKE NOTICE that the above ordinance, 2023-04 was introduced and passed at the regular meeting of the Mayor and Council of the Borough of Sussex held at Borough Hall, 2 Main Street in the Borough of Sussex on February 21, 2023. The same came up for final adoption at the regular meeting of the Mayor and Council of the Borough of Sussex held at Borough Hall, 2 Main Street in the Borough of Sussex on March 7, 2023, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force and effect according to law.

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Antoinette Smith, RMC