

**BUSINESS OF THE CITY COUNCIL  
WINDSOR HEIGHTS, IOWA  
AGENDA STATEMENT**

Item No. 13  
For Meeting of 02-01-10

**ITEM TITLE:** Consideration of an ordinance 10-01 amending the 2010 Code of Ordinances for the City of Windsor Heights, Iowa by creating a schedule of administrative penalties for Industrial Pretreatment Violations Relating to Regulation of Fat, Oil and Grease Discharge by Food Service Establishments.

**CONTACT PERSON:** Marketa George Oliver

**SUMMARY EXPLANATION**

In 2006, the Windsor Heights City Council created ordinance 06-09, which created what is now Chapter 100 of the Windsor Heights Code. The chapter notes regulations of industrial wastewater, commercial wastewater and hauled waste. The Urbandale/Windsor Heights Sewer District has already adopted this and have requested that the cities adopt it. This addition creates a schedule of administrative penalties for chapter 100.

Resolution <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Other (Specify) _____
Funding Source _____ NA
APPROVED FOR SUBMITTAL _____ City Administrator

**STAFF RECOMMENDATION:** Discuss and possibly Move the first and/or more reading(s) of this ordinance on a roll call vote.

**COUNCIL ACTION:**

ORDINANCE NO. 10-01

CONSIDERATION OF AN ORDINANCE 10-01 AMENDING THE 2010 CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, IOWA BY CREATING A SCHEDULE OF ADMINISTRATIVE PENALTIES FOR INDUSTRIAL PRETREATMENT VIOLATIONS RELATING TO REGULATION OF FAT, OIL AND GREASE DISCHARGE BY FOOD SERVICE ESTABLISHMENTS.

BE IT ENACTED by the City Council of the City of Windsor Heights, Polk County, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to create certain sections of Chapter 100 of the Municipal Code, to set up a schedule of administrative penalties for Industrial Pretreatment Violations Relating to Regulation of Fat, Oil and Grease Discharge by Food Service Establishments.

SECTION 2. Created and Amended. Chapter 100. is amended to read as follows:

**SCHEDULE OF ADMINISTRATIVE PENALTIES**

**for Industrial Pretreatment Ordinance Violations Relating to Regulation of Fat, Oil and Grease Discharge by Food Service Establishments**

The following schedule of administrative penalties for violations of Chapter 100 Division 5 of the Code of Ordinances of the City of Windsor Heights shall be charged pursuant to Division 5:

VIOLATION	PENALTY	
	First Violation within 12 months	Second & Subsequent Violations within 12 months
Sec. 36.479 Failure to install, operate or maintain grease interceptor	\$ 100	\$200
Sec. 36-481 Failure to comply with WRA director order	\$100	\$200
Sec. 36-482 Inadequate installation of grease interceptor and grease trap	\$100	\$200
Sec. 36-483 Failure to operate, maintain and clean grease interceptors	\$100	\$200
Sec. 36-484 Failure to maintain records	\$100	\$200
Sec. 36-485 Failure to provide monitoring facilities and allow inspections	\$100	\$200

Sec. 36-486 Failure to pay inspection fees	\$100	\$200
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Notice of violation with the applicable penalty for such violations noted thereon shall be issued to the violator. Penalties shall be paid in full within 30 days of the issuance of the notice at the Urbandale-Windsor Heights Sanitary District, c/o Paul A. Drey, Attorney for the District, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266.

Industrial Pretreatment Ordinance Violations Relating to Regulation of Fat, Oil and Grease Discharge by Food Service Establishments Administrative Penalties adopted by Roll Call. No. \_\_\_\_\_ dated \_\_\_\_\_.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of this ordinance as a whole, or any section, provision or part thereof not adjudged unconstitutional or invalid.

SECTION 5. Effective Date. This ordinance shall be effective from and after its final passage, approval and publication as provided by law.

Passed by the City Council this day of and approved this day of, .

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David J. Sullivan, Mayor

ATTEST:

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Marketa George Oliver, City Administrator/Clerk