**Code of Ordinances City of Reidsville, North Carolina**

*Part 2 Code of Ordinances*

*Chapter 10 Municipal Utilities and Services*

*Article 2 Water and Sewers*

*Division 5 Discharge Control of Fats, Oils and* Grease into Sanitary Sewer System

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**Section 10-150 AUTHORITY and CONTROL**

1. The City of Reidsville Sewer Use and Pretreatment Ordinance [Section Sec. 10-52.] - Grease trap interceptors and [Sec. 10-63. 2. B. 2.N] - General discharge prohibitions. Contains the following:

*Article II – General Sewer Use Regulations Discharge Requirements, Standards and Prohibitions*

*Section 1 – Prohibited Discharge Standards*

1. *General Prohibitions. No property owner and/or FSE owner shall discharge or cause to be discharged into the POTW any pollutant or wastewater which causes pass through or interference.*
2. *Specific Federal Prohibitions. No property owner and/or FSE owner shall discharge or cause to be discharged into the POTW the following pollutants, substances, or wastewater: Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference*
3. It is the duty and responsibility of the City of Reidsville Public Works Department to prevent the excessive introduction of oil and grease into the sanitary sewer system and the wastewater treatment plant.

(c) This Ordinance is designed to outline, implement and enforce oil and grease discharge rules and to have an educational program for both residential and commercial property owner and/or FSE owner.

(d) The intent of this Ordinance is to ensure compliance with the City of Reidsville Sewer Use and Pretreatment Ordinance; ensure compliance with the rules and regulations of the United States Environmental Protection Agency and the State of North Carolina Department of Environment and Natural Resources (as relates to Fats, Oil and Grease [FOG]), ensure compliance with City of Reidsville Permit Number WQCS00049 (Wastewater Collection System Permit); and to protect the City’s infrastructure as it relates to the sanitary sewer collection and treatment system.

(e) The authorization for the program is found in the City’s Wastewater Collection System Permit Number WQCS00049 issued to the City of Reidsville by the North Carolina Department of Environment and Natural Resources which includes the following Performance Measure:

*“The Permittee shall maintain an educational and enforcement program that requires the proper operation and maintenance of all grease traps and septic tanks connected to the wastewater collection system. The educational program should target both residential and commercial property owner and/or FSE owner s.”*

(f) The accumulation of grease within sanitary sewer lines increases the potential to create sewer blockages. Sanitary sewer blockages can result in sanitary sewer overflows (SSOs), which may reach the surface waters of North Carolina. Blockages may also cause wastewater to back up into business establishments, or homes and can result extensive damage.

(g) Food Service Establishments discharging wastewater that contains grease to the City of Reidsville sanitary sewer system must install and maintain a grease trap or grease interceptor. All grease trap and grease interceptors shall be maintained for continuous, satisfactory and effective operation by the property owner and/or FSE owner, leaseholder or operator at his expense. “Enforceable Best Management Practices” for the control of Fats, Oil and Grease [as published by the City of Reidsville] shall also be implemented by all Food Service Establishments.

(h)The Director reserves the right to make determination of grease retention unit adequacy and need, based on review of all relevant information regarding grease retention performance, maintenance, and facility site and building plan review to require repairs to, modification, or replacement of such retention units.

**Section 10-151 FOG ORDINANCE DEFINITIONS**

1. **City** - City of Reidsville, North Carolina
2. **Cost Recovery** - Those costs associated with the clean-up and/or decontamination of a site after discharge of substances into the sanitary sewer, storm sewer and/or to the environment that caused interference, pass-through or a sanitary sewer blockage. This includes clean up and decontamination of all structures/areas including residential, commercial, surface waters and the environment.
3. **Enforceable Best Management Practices (E-BMPs)** - Methods, tools, and techniques that have been determined to be the most effective and practical means of preventing or reducing pollution, including documentation of employee training, documentation of grease interceptor/grease trap cleaning, removal and disposal of grease.
4. **Fats, Oils, and Greases (FOG)** - Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. Substances that solidify or become viscous at temperatures between thirty-two (32) degrees Fahrenheit and one hundred fifty (150) degrees Fahrenheit (0 degrees-65 degrees Celsius) be referred to as FOG. Commonly these substances are byproducts generated by the practice of cooking or preparing food. They are also found in such food substances as salad dressings, sauces and marinades, and baking oils and butter products.
5. **F.O.G. Coordinator** - The Public Works Enforcement Official designated by the Director of the Public Works Department to implement the Fats, Oils and Grease Control Ordinance.
6. **FOG Enforcement Response Plan –** The plan that contains detailed procedures indicating how the City will investigate and respond to instances of noncompliance with the FOG Control Ordinance.
7. **Food Service Establishments(FSE)** - Those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption food items and that use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing. Those establishments that engage in the preparation of precooked and frozen food materials and meat cutting preparation and applicable to all “Food Service Establishments” that discharge wastewater containing grease to the City of Reidsville Sanitary Sewer System including but not limited to the following: restaurants, grocery stores, meat markets, hotels, factory and office building cafeterias, public and private schools, hospitals, nursing homes, commercial day care centers, churches, and catering services.
8. **Grease Retention Unit** - A device utilized to affect the separation of grease and oils in wastewater effluent from a Food Preparation Establishment prior to the wastewater entering the sanitary sewer collection and treatment system.
9. **Grease Interceptor** - Interceptors are grease retention units of the outdoor or underground type and normally consist of a 1,000-gallon capacity or more.
10. **Grease Trap** - Traps are typically in- floor recessed grease retention units, which are normally less than 100 gallons capacity. Some older existing traps may be an under the sink or above-floor design.
11. **Interference** - A discharge, which alone or in conjunction with a discharge or discharges from other sources, both: inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal, and therefore is a cause or contributes to, a violation of any requirement of the POTW’s NPDES permit and/or the City Wastewater Collection System Permit (including an increase in the magnitude or duration of a violation) or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, 40 CFR Part 503 [Standards for the Use of Disposal of Sewage Sludge], the Toxic Substances Control Act, or more stringent state criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of sludge disposal employed by the POTW. [City of Reidsville Sewer Use and Pretreatment Ordinance Definition]
12. **Property owner and/or FSE owner** - Property owner and/or FSE owner shall mean individual, firm, company, corporation, or group upon whose property the building or structure is located or will be constructed.
13. **Pass Through** - A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with discharges from other sources, is a cause of a violation of any requirement of the City of Reidsville NPDES permit, including an increase in the magnitude or duration of a violation. [City of Reidsville Sewer Use and Pretreatment Ordinance Definition]
14. **Ordinance** - The City of Reidsville Fats, Oils and Grease Control Ordinance
15. **POTW** - Publicly Owned Treatment Works as defined by Section 212 of the Act. (33 U.S.C. 1292) which is owned by the City of Reidsville. This definition includes any devices or system used in the collection, storage, treatment, recycling and reclamation of municipal sewage (wastewater) or industrial wastes of a liquid or solid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. For the purpose of this Ordinance, POTW shall also include any sewers that convey wastewater to the POTW from persons/property owner and/or FSE owner s outside the City who are by contract, or agreement with the City or in any other way property owner and/or FSE owner s of the POTW.
16. **Sanitary Sewer** - A Public Sewer controlled by a governmental agency or entity including The City of Reidsville that carries liquid and waterborne Waste from residences, commercial buildings, industrial plants or institutions; together with minor quantities of ground or surface waters that are not intentionally admitted.
17. **Sewer** - A pipe or conduit for carrying Wastewater.
18. **Storm Sewer or Storm Drain** - A sewer or drain designed, constructed and intended to carry storm and surface waters and drainage, but NOT wastewater.
19. **Surface Waters** - Creeks, streams, lakes or other bodies of water.
20. **Property owner and/or FSE Operator** - Any person, business, or organization, including those located outside of the jurisdictional limits of the City, who contributes, causes, or permits the contribution or discharge of wastewater into the POTW.
21. **Variance for Cause Request** - Submittal provided by a Food Service Establishment to provide site-specific technical information to demonstrate why a grease interceptor is not feasible, practicable, and/or necessary for a particular use, activity and/or structure.
22. **Waste** - Shall mean the liquid and water-carried domestic or industrial wastes from dwellings, commercial establishments, industrial facilities and institutions, whether treated or untreated. The term’s "sewage" and "wastewater" shall be deemed as waste by definition.

**Section 10-152 APPLICABILITY**

This Ordinance is applicable to all “Food Service Establishments” that discharge wastewater containing fats, oils and grease to the City of Reidsville Sanitary Sewer System including but not limited to the following: restaurants, grocery stores, meat markets, hotels, factory and office building cafeterias, public and private schools, hospitals, nursing homes, commercial day care centers, churches, and catering services.

**Section 10-153 GREASE RETENTION UNIT CONSTRUCTION STANDARDS**

All new grease interceptors shall be designed and constructed in accordance with the requirements of the City of Reidsville but in no case may be less stringent than the North Carolina State Plumbing Code.

1. General Design Requirements for all Food Service Establishments
	1. The City of Reidsville Community Development Department must approve grease retention unit design prior to installation by the Food Service Establishment.
	2. All grease retention units, whether singular or two tanks in series, must have each chamber directly accessible from the surface to provide means for servicing and maintaining the retention unit in efficient working and operating condition.
	3. All grease retention units shall be designed and installed to allow for complete access for inspection and maintenance of the inner chamber(s) and viewing and sampling of the effluent wastewater discharged to the sanitary sewer system.
	4. A basket, screen, or other intercepting device shall prevent passage into the drainage system of solids ½ inch or larger in size. The basket or device shall be placed in all food preparation sinks and must be removable for cleaning purposes.
	5. Drainage systems conveying sanitary waste (toilets, lavatories, etc.) shall not be connected to the influent side of the grease retention unit.
	6. Where food waste grinders are installed, the waste from those units shall discharge directly into the building drainage system without passing through a grease interceptor. All other fixtures and drains receiving kitchen or food preparation wastewater shall pass through a grease retention unit.
	7. Dishwashers equipped with booster heaters and/or using water in excess of 140° F shall not pass through any grease retention unit with lesser than a 1000-gallon capacity.
2. New Food Service Establishments in New Buildings
3. All new Food Service Establishments shall be required to install grease interceptor, unless granted a Variance for Cause by the City of Reidsville. Any Food Service Establishment wishing to seek a Variance for Cause must submit a Variance for Cause Request to the FOG Coordinator.
4. Grease Retention Units shall be sized in accordance with the Community Development Department criteria.
5. No new Food Service Establishments will be allowed to initiate operations until a grease retention unit is installed and approved by the Community and Development department.
6. Site plans must be submitted for all new Food Service Establishments to Community Development Department. Site plans must be signed and sealed by a North Carolina licensed professional engineer to certify the plan meets all requirements of this Ordinance.
7. New Buildings (Strip Centers) with the Potential for Food Service Establishments
8. All new buildings or strip centers containing sections designated for commercial enterprise of the strip center are encouraged to provide a stub-out for a separate waste line for future grease interceptor installation.
9. The property owner and/or FSE owner of a new strip center shall consider suitable physical property space and sewer gradient that will be conducive for the installation of an exterior, in ground grease interceptor(s) for any flex space contained within the strip center.
10. Existing Food Service Establishments with a Grease Retention Unit
11. All existing Food Service Establishments with a grease retention unit shall operate and maintain such units in compliance with this Ordinance and shall comply with the Enforceable Best Management Practices.
12. In the event an existing Food Preparation Establishment’s grease retention unit is either under-designed or substandard in accordance with this Ordinance, the property owner and/or FSE will be notified in writing of the deficiencies and required improvements and given a compliance deadline not to exceed one year to conform to the requirements of this Ordinance. For cases in which “outdoor” type grease interceptors are infeasible to install, existing Food Service Establishments will be required to install adequate and approved inside grease traps for use on individual fixtures including sinks and other potentially grease containing drains pending prior approval from the Community Development Department..
13. Site plans must be submitted for additions and renovations made to existing facilities. Site plans for additions must be signed and sealed by a North Carolina professional engineer. Site plans for renovations must be signed and sealed by a North Carolina professional architect to ensure the plan meets all requirements of this Ordinance. Improvements made to existing facilities will be evaluated to determine their impact on the grease retention unit. Establishments will be required to install a larger sized unit if the potential daily grease production is significantly increased.
14. Existing Food Service Establishments without a Grease Retention Unit
15. Food Service Establishments without a grease retention unit in place on the effective date of this Ordinance shall comply with the Enforceable Best Management Practices.
16. If excessive grease buildup is noted in the collection system and/or excessive collection system maintenance is required in the collection system and/or sanitary sewer blockages occur in the sanitary sewer system below a Food Service Establishment without a Grease Retention Unit the City of Reidsville reserves the right to require the Food Service Establishment to install a Grease Retention Unit.
17. New Food Service Establishments in Existing Buildings
18. Where practical, Food Service Establishments locating in existing buildings will be required to comply with the requirements applicable to new construction
19. Where it is physically impossible to install “outdoor” interceptors, inside grease traps may be allowed provided prior approval of unit type, size, location, etc. is obtained from the FOG Coordinator.
20. Construction Standards Exceptions
21. Under certain circumstances, the grease retention unit size and location may necessitate special exceptions to this Ordinance.
22. If the City determines that an exception to this Ordinance is necessary, the Property owner and/or FSE owner must first demonstrate that the proposed size and location will not result in noncompliance with the intent and discharge requirements of the Fats, Oils, and Grease Control Ordinance.
23. The facility shall then submit appropriate site plans for any additions or renovations.

**Section 10-154 GENERAL REQUIREMENTS**

1. Right of Entry
2. The FOG Coordinator or their designee, upon presentation of proper credentials shall have right-of-entry subject to this Ordinance for the purpose of inspection, determination of compliance, or other enforcement action. The FOG Coordinator or their designee shall be provided ready access to all parts of the premises for the purposes of inspection, monitoring, sampling, ability to establish limits, inventory, records examination and copying, and the performance of any other duties which the FOG Coordinator reasonably deems necessary to determine compliance with this Ordinance.
3. Where security measures are in place which require proper identification and clearance before entry into the premises, the property owner and/ or FSE owner shall make necessary arrangements with its security guards so that, upon presentation of proper credentials, the FOG Coordinator or their designee will be permitted to enter without delay for the purposes of inspecting the site and investigating any complaints or alleged violations of this Ordinance.
4. The FOG Coordinator or their designee shall have the right to set up on the property such devices as are necessary to conduct sampling and/or metering and shall have the power to require written statements, certificates, certifications, or the filing of reports relating to complaints or alleged violations of this Ordinance.
5. All grease retention units shall be easily accessible and shall not be obstructed by landscaping, parked cars, or other obstructions. Any temporary or permanent obstruction to safe and easy access to the areas to be inspected and/or monitored shall be removed promptly by the responsible party at the written or verbal request of the FOG Coordinator or their designee. The costs of clearing such access shall be borne by the responsible party.
6. The FOG Coordinator also may monitor and inspect any business using or selling cooking oil, any person removing and transporting commercial cooking oil waste or commercial FOG waste and any recycling facility converting commercial cooking oil waste or commercial FOG waste into a marketable product.
7. Best Management Practices
8. Fats, oils and grease can be managed effectively in the food service industry to minimize the discharge to the sewer system and decrease the required maintenance of grease retention units. Best Management Practices are kitchen cleaning and grease-handling techniques used throughout the industry, and have proven effective when implemented properly and consistently.
9. All Food Service Establishments shall maintain a copy of the “City of Reidsville Best Management Practices” and shall implement the BMPs through the proper training of all employees.
10. Documentation of BMP employee training shall be maintained on-site and readily available upon request.
11. Use of Enzymes, Emulsifiers or Other Biological Additives
12. The use of any enzymes, grease solvents, thermal sources, emulsifiers, etc. are not considered acceptable grease trap/interceptor maintenance practices and shall not be used as an alternative to the pumping of a grease retention unit, nor as the sole source of grease retention unit maintenance.
13. Inside Grease Trap Cleaning and Maintenance Requirements
14. Grease traps (in floor or under sink) shall be cleaned at least twice per month. This required maintenance cleaning frequency can be changed by the FOG Coordinator upon written notification to the property owner and/or FSE.
15. Cleaning of grease traps by property owner and/or FSE owner and/or operators are permissible under the following guidelines:
	1. All property owner(s) and/or FSE owners are recommended to obtain a septage permit yearly from the State of North Carolina in order to maintain their own inside traps. [As per North Carolina General Statute 130A-290(32)].
	2. All property owners and/or FSE owners shall maintain grease trap cleaning records that include: date and time grease trap was cleaned, initials of person who performed the cleaning.
	3. Cleaning records shall be maintained on-site for a period of three continuous years.
16. Outside Grease Interceptor Cleaning and Maintenance Requirements
17. All outdoor grease interceptor units shall be cleaned/pumped at least quarterly by a North Carolina licensed grease hauler or recycler [as per NCGS 130A-291]. This required maintenance cleaning frequency can be changed by the FOG Coordinator upon written notification to the property owner and/or FSE.
18. Cleaning/pumping shall include the complete removal of all contents, including floatable materials, wastewater, sludge and solids. Separation, decanting or back flushing of the grease interceptor or its wastes is prohibited.
19. The property owner and/or FSE shall be responsible for ensuring that no waste or wastewater pumped from the grease retention unit is reintroduced back into the collection system, into the environment, or is otherwise improperly disposed of.
20. All outdoor grease interceptors shall be maintained in efficient operation at all times by the property owner and/or FSE at the property owner and/or FSE’s expense.
21. All property owner and/or FSE shall maintain cleaning/pumping receipt records that include: date and time grease interceptor was cleaned, quantity of grease/materials removal, company or qualified agent providing services.
	1. Cleaning records shall be maintained on-site for a continuous period of three years and copies of cleaning records shall be submitted quarterly to the City of Reidsville FOG Coordinator.
	2. Reports shall be due by the 15th day of January, April, July and October for the previous 3 calendar month period. The submittal can be by fax or US mail.
22. Prohibitions and Violations
23. No property owner and/or FSE shall contribute or cause to be contributed into the sanitary sewer system the following:
	1. Hot water running continuously through a grease retention unit define by PH range
	2. Discharge of concentrated alkaline or acidic solutions into a grease retention unit
	3. Discharge of concentrated detergents into a grease retention unit
	4. Discharge of oils and grease into the sanitary sewer system
24. It shall be a violation of this Ordinance and the City of Reidsville Sewer Use and Pretreatment Ordinance for any person or Property owner and/or FSE owner to:
	1. Modify a grease retention unit structure without consent from the Community Development Department approval.
	2. Provide falsified data and/or information to the City of Reidsville, including but not limited to grease retention unit maintenance and/or cleaning records.
	3. Violate or fail to comply with any applicable section or provision of this Fats, Oils and Grease Control Ordinance.
25. Notification of Change in Property ownership or Closure of a Food Service Establishment
26. A change in property ownership and/or FSE ownership shall be reported to the FOG Coordinator in writing within thirty (30) days of the property ownership and/or FSE change.
27. Any Food Service Establishment that goes out of business shall report such closure to the FOG Coordinator in writing within thirty (30) days of closure and shall ensure that any grease trap and/or interceptor shall be cleaned / pumped before the building is vacated.

**Section 10-154 COMPLIANCE**

1. All Food Service Establishments who are implementing and documenting the BMPs [including employee training and kitchen procedures] and performing and documenting grease retention unit cleaning at the required frequency will be considered to be in full compliance with this Ordinance.
2. When an obstruction and/or Sanitary Sewer Overflow occurs, the records of all Food Service Establishments that discharge to the affected sanitary sewer line may be reviewed in order to determine the responsible party. Any Food Service Establishment found to be in noncompliance with the required grease retention unit cleaning frequency shall be deemed a “responsible party” for cost recovery. Payment of cost recovery does not preclude further enforcement actions for noncompliance as per the FOG Control Ordinance and Enforcement Response Plan.

**Section 10-155 ENFORCEMENT**

1. Enforcement Response Plan
2. Enforcement of the Fats, Oils and Grease Control Ordinance shall be in accordance with the provisions of the City of Reidsville FOG Enforcement Response Plan. Failure to comply with any provision of the Ordinance may be grounds for civil penalty imposition and/or discontinuance of sanitary sewer service.
3. The FOG Coordinator shall develop and implement an Enforcement Response Plan for the City of Reidsville Fats, Oils and Grease Control Ordinance. The plan shall contain detailed procedures indicating how the FOG Coordinator will investigate and respond to instances of non-compliance with this Ordinance.
4. The Enforcement Response Plan is a statement of policy by the City of Reidsville. It is not a regulation, code or statute and the Public Works Director or his designee has the authority to amend the Policy at any time in order to more effectively implement the FOG Control Ordinance.
5. No enforcement procedure is contingent upon the completion of any “lesser” activity.
6. Nothing in the Enforcement Response Plan shall limit the authority of the FOG Coordinator to take any action, including severance of sanitary sewer service without first issuing a Notice of Violation or other less severe action.
7. Administrative Enforcement Activities

The City of Reidsville is authorized to take the following actions in response to noncompliance with the Fats, Oils and Grease Ordinance and/or the Sewer Use and Pretreatment Ordinance:

1. Written Notice to Correct [NTC]
2. Written Notice of Deficiency [NOD]
3. Enforcement Meeting
4. Initiation of Self-Monitoring
5. Employee Training Requirement
6. Notice of Violation [NOV]
7. Civil Penalty [from $1-$10,000]
8. Consent Order (may contain Schedule of Compliance [SOC])
9. Administrative Order [AO]
10. Payment of Remediation/Clean-Up Costs and/or Cost Recovery
11. Termination of (Sewer and/or Water) Service [TOS]

**Section 10-156 EMERGENCY ACTIONS and PROCEDURES**

1. The FOG Coordinator is authorized to take all necessary actions to immediately and effectively halt or prevent any fats, oils and grease discharge to the sanitary sewer system, storm water drains and on the ground.
2. Any property owner and/or FSE owner with grease retention unit maintenance problems or other situations resulting in the discharge of fats, oils, and grease to surface waters must halt discharge immediately. Immediately is defined as within 15 minutes of becoming aware of the problem. Any repairs to the system must be completed within 48 hours, at the expense of the Food Service Establishment, property owner or leaseholder.

**Section 10-157 APPEALS**

1. Reconsideration Petition
2. Any property owner and/or FSE owner may petition the FOG Coordinator to reconsider the terms of any enforcement action within thirty (30) calendar days of issuance.
3. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal process
4. The petition shall indicate the terms objected to, the reasons for the objection and any additional information that should be considered.
5. If the FOG coordinator fails to act within fifteen (15) days of receipt, the request for reconsideration is deemed to be denied.
6. Initial Appeal to Public Works Director
7. Any property owner and/or FSE owner whose Reconsideration Petition to the FOG Coordinator has been denied shall have the right to a hearing before the Public Works Director upon making written demand to the Public Works Director within thirty (30) days of receipt of the denial. The written demand shall identify the specific enforcement action issues to be contested and any additional information that should be considered.
8. Unless such written demand is made within the time specified herein, the action shall be final and binding.
9. The Public Works Director shall conduct the hearing and make a final decision on the enforcement action within fifteen (15) days of the hearing. The property owner and/or FSE owner shall be notified of the decision by certified mail.

(c) Final Appeal Hearing with City Manager

1. Any property owner and/or FSE owner whose Initial Appeal to the Public Works Director has been denied shall have the right to a final hearing before the City Manager upon making written demand to the City Manager within thirty (30) days of receipt of the Initial Appeal denial. The written demand shall identify the specific enforcement action issues to be contested and any additional information that should be considered.
2. Unless such written demand is made within the time specified herein, the action of the City Manager shall be final and binding.
3. The City Manager shall conduct the hearing and make a final decision on the enforcement action within fifteen (15) days of the hearing. The property owner and/or FSE owner shall be notified of the decision by certified mail.
4. The decision of the City Manager shall be considered the final administrative action for purposes of judicial review.