

STATE OF NEW YORK

3536

2021-2022 Regular Sessions

IN SENATE

January 30, 2021

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to the securing of grease traps and interceptors by food establishments

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as
2 "Bryce's law".

3 § 2. The public health law is amended by adding a new section 1352-f
4 to read as follows:

5 § 1352-f. Securing of grease traps and interceptors by food establish-
6 ments. 1. For the purposes of this section "food establishment" shall
7 mean any business or organization engaged in the preparation, sale or
8 service of food.

9 2. A food establishment with a grease trap or interceptor manhole that
10 is located outdoors or accessible to the general public shall ensure
11 that such manhole is designed to withstand expected loads and prevent
12 access by children. The manhole cover shall be secured by a bolt or
13 locking mechanism or be constructed of round cast iron or similar
14 construction rated for heavy road traffic with sufficient weight to
15 prevent unauthorized access. Such grease trap or interceptor manhole
16 shall include a secondary protection device consisting of a screen or
17 netting sufficient to prevent a person from falling into such trap or
18 interceptor. A public water or sewer authority may specify either manner
19 of manhole access exclusively, provided it conforms to this subdivision
20 and prevents unauthorized access.

21 3. (a) A food establishment with a grease trap or interceptor manhole
22 that is located outdoors or accessible to the general public shall
23 ensure that such grease trap or interceptor manhole is secured or locked
24 at all times.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD07838-01-1

1 (b) Notwithstanding paragraph (a) of this subdivision, a food estab-
2 lishment may unsecure or unlock a grease trap or interceptor manhole for
3 the purpose of cleaning, maintenance or inspection, provided, however,
4 that no food establishment shall allow or cause such manhole to be or
5 remain unattended while unsecured or unlocked.

6 4. A food establishment with a grease trap or interceptor manhole
7 shall conspicuously display a warning sign at the location of such
8 manhole. The form and content of such sign shall be promulgated by the
9 commissioner.

10 5. (a) The commissioner, or his or her duly authorized agent or
11 employee, shall conduct an annual inspection of the compliance of each
12 food establishment with the provisions of this section.

13 (b) Every owner, operator, lessor, lessee or person in charge of any
14 food establishment shall permit the commissioner, or his or her duly
15 authorized agents or employees, to have access to all parts of any and
16 all of such food establishment for the purpose of ascertaining whether
17 the provisions of this section are being observed.

18 § 3. This act shall take effect on the thirtieth day after it shall
19 have become a law. Effective immediately, the addition, amendment
20 and/or repeal of any rule or regulation necessary for the implementation
21 of this act on its effective date are authorized to be made and
22 completed on or before such effective date.