



Stratford, Connecticut

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ANY INDIVIDUAL WITH A DISABILITY WHO NEEDS SPECIAL ASSISTANCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE ADA COORDINATOR AT 203-385-4020 OR 203-385-4022 (TDD) 5 DAYS BEFORE THE MEETING, IF POSSIBLE.

## **MEETING NOTICE**

THE STRATFORD TOWN COUNCIL WILL CONDUCT A REGULARLY SCHEDULED MEETING ON MONDAY, JANUARY 12, 2015 IN COUNCIL CHAMBERS OF TOWN HALL, 2725 MAIN STREET, STRATFORD, CT AT 8:00 P.M.

PUBLIC FORUM WILL BEGIN AT 6:45 P.M.

### **AGENDA**

#### **CALL TO ORDER**

INVOCATION PRESENTED BY SIXTH DISTRICT COUNCIL MEMBER HON. KENNETH POISSON FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

**1. APPROVAL OF MINUTES** — Public forum and regularly scheduled meeting of December 8, 2014.

RESOLVED: That the reading of the foregoing minutes be dispensed with as copies thereof have been previously provided to each Council Member and the same be and are hereby approved.

**2. CEREMONIAL PRESENTATIONS AND AWARDS** — Stratford School Based Mentoring Program

**3. COUNCIL MEMBERS RESPONSE TO COMMENTS FROM PUBLIC FORUM**

**4. COMMUNICATIONS, BILLS, PETITIONS, REMONSTRANCES**

**4.1 LETTERS OF RESIGNATION**

4.1.1 (via e-mail) — FROM Craig Budnick, Seventh district Council member

RESOLVED: that the resignation of Craig Budnick from the Stratford Town Council and all subsequent committees on which he serves, be and is hereby accepted.

4.1.2 — FROM Jeffrey Thompson, Beautification Committee

RESOLVED: that the resignation of Jeffrey Thompson from the Beautification Committee be and is hereby accepted.

4.1.3 — FROM David P. D'Ausilio, Board of Assessment Appeals

RESOLVED: that the resignation of David P. D'Ausilio from the Board of Assessment Appeals be and is hereby accepted.

4.1.4 — FROM: Gavin B. Forrester III – Citizen's appointment to the Public Safety Committee

RESOLVED: that the resignation of Gavin B. Forrester III from the Public Safety Committee be and is hereby accepted.

4.2 REFERRAL LETTERS FROM THE PLANNING COMMISSION RE: § 8-24 REVIEW  
— During the Planning Commission meetings of Nov. 18 and December 16, 2014, the sale of following properties were referred to Town Council with approval: — EXECUTIVE SESSION REQUESTED.

- Property to rear of 245 California Street - Map ID 40/10/13/10, Acct #0280900
- Property on Cannon Drive — Map ID 20/9/15/6/13A, Acct #0308200
- 540 Longbrook Ave — Map ID 50/10/2/8, Acct #0989400
- Marina Drive property — Map ID 20/12/5/13, Acct #1081900
- 2350 Stratford Ave. — Map ID 20/8/15/3, Acct #1643700
- Property to rear of William Street — Map ID 30/11/12/35, Acct 3 1857550
- Huntington Road, Map ID 40/17/6/18 acct # 0814800
- 7547 Main Street

RESOLVED: that the recommendation of the Planning Commission is accepted and the Town Attorney is directed to market the foregoing properties for sale and to present all offers to the Town Council for its consideration.

**4.3 LETTER FROM PLANNING COMMISSION RE: PROPOSED LEASE OF 576-600 EAST BROADWAY** — The Planning Commission, at the meeting of Dec. 1, 2014, referred the lease of 576-600 East Broadway to Town Council with favorable recommendation with questions set forth therein. — EXECUTIVE SESSION REQUESTED.

RESOLVED: that the recommendation of the Planning Commission is accepted and the lease of the foregoing property be and is hereby approved.

**4.4 REFERRAL LETTERS FROM THE PLANNING COMMISSION RE: § 8-24 review** — During the Planning Commission meetings of Nov. 18 and December 16, 2014, the sale of following property was referred to Town Council with approval:— EXECUTIVE SESSION REQUESTED.

Broadbridge Ave. (lot 64) — sell property to adjoining property owners

RESOLVED: that the recommendation of the Planning Commission is accepted and the sale of the foregoing property be and is hereby approved.

## **5. MAYOR'S REPORT, COMMITTEE REPORTS, TOWN ATTORNEY'S REPORTS**

### **5.1 MAYOR'S REPORT**

#### **5.1.1 APPOINTMENTS**

### **5.2 COMMITTEE REPORTS**

**5.2.1 EMS FUNDING COMMITTEE** — At the regularly scheduled meeting of December 16, 2014, the EMS Funding Committee referred the following to Council with a favorable recommendation:

Purchase of Winter Apparel/Uniforms — approx. 40 will be needed at a cost of approx. \$300-\$400 each with funding to come from the EMS Fund Balance. The apparel must be per OSHA Standards.

RESOLVED: that the recommendation of the EMS Funding Committee is accepted and the purchase of winter apparel/uniforms, from the EMS Fund balance for an amount not to exceed \$16,000.00, be and is hereby approved.

5.2.2 BUILDING NEEDS COMMITTEE — During the regularly scheduled Building Needs Committee meeting of Dec. 15, 2014, the following was referred to Council with favorable recommendation:

Stratford High School renovations — Selection of Turner Construction as the construction manager for the project

RESOLVED: that the recommendation of the Building Needs Committee is accepted and Turner Construction be and is hereby approved as the construction manager for the Stratford High School renovations project.

### 5.3 TOWN ATTORNEY'S REPORT

#### 5.3.1 CLAIMS REPORT

5.3.2 LETTER OF WITHDRAWAL AS OPERATOR OF THE CONCESSION STAND AT Short Beach for the 2015 season.

RESOLVED: that the recommendation of the Town Attorney is accepted and lease of the Concession Stand for Short Beach is hereby terminated.

#### 5.3.3 25 NORTH PARADE — possible EXECUTIVE SESSION

5.3.4 Chapter 12: — EMINENT DOMAIN It is proposed that Chapter 12 of the Town Code be repealed or in the alternative modified as set forth below:

Chapter 12: — EMINENT DOMAIN

§ 12-1

Taking of real property for economic development [prohibited] limited.

Within the territorial limits of the Town of Stratford, no real property may be acquired by eminent domain for economic development purposes pursuant to General Statutes §§ 8-128 to 8-133 inclusive, [if the resulting project will be privately owned or controlled] unless the Town Council shall determine that it is in the best interest of the Town to do so and that some public improvement results from such acquisition. Nothing contained herein shall be construed to limit the use of eminent domain powers for public purposes, including, but not limited to, the construction of sewers, highways, sidewalks, rights-of-way, flood, shore and erosion control purposes or for any other transaction where some portion of the property rights acquired will be

held or controlled by the Town of Stratford or some other governmental entity. This chapter shall not conflict with any subsequently enacted state law on this subject matter.

### 5.3.5 QUESTIONS TO THE TOWN ATTORNEY

## **6. QUESTIONS TO MAYOR OR STAFF**

## **7. UNFINISHED BUSINESS and/or OLD BUSINESS**

### 7.1 SAEP (continuing item)

### 7.2 TABLED ITEMS

7.2.1 PATRICIA DRIVE — *Placed on the table during special meeting of 9/22/14*

7.2.2 231 KING STREET — Initially referred to Executive Session. *Placed on the table during meeting of 6/9/14.*

7.2.3 PORTABLE ICE SKATING RINK AT LONGBROOK PARK — *tabled during meeting of Dec. 8, 2104.* — possible EXECUTIVE SESSION

A. Referred from Parks and Recreation committee meeting of Dec. 10 with favorable recommendation. Proposed by the Wilcoxson School Father's Club for the Longbrook Park practice field.

B. Referred with favorable recommendation from Planning Commission meeting of Dec. 1 with the following questions and comments:

- Who will oversee scheduling of the rink? Should it be the Recreation Dept.?
- Who will establish hours for usage and lighting?
- Will public restrooms be open when the rink is in use?
- Who will insure that the rink will be available for public use?
- Should someone oversee the use of the rink?
- The Park and Recreation Dept. should provide and post rules and general liability policies regarding use of the rink.

RESOLVED: that the recommendations of the Parks and Recreation Committee and the Planning Commission are accepted and the portable ice skating rink at the practice field at Longbrook Park be and is hereby approved/denied.

### 7.3 TABLED ORDINANCES AND RESOLUTIONS

#### 7.3.1 AN ORDINANCE AMENDING CHAPTER 172 – Sewers - ARTICLE XI, FATS, OILS AND GREASE PRETREATMENT (#14-26) — appended as pages 10-22

RESOLVED: that the second reading of the above entitled Ordinance be dispensed with as copies thereof have been received by all Council Members and the foregoing be and is hereby approved effective thirty days from passage. (*placed on the table during meeting of Dec. 8, 2014*).

### 7.4 TABLED APPOINTMENTS

#### 7.4.1 STRATFORD HOUSING PARTNERSHIP — (7) Same as last.

#### 7.4.2 BOARD OF ASSESSMENT APPEALS — (2 temporary)

7.4.3 COMMISSION ON AGING — (4) appointments remaining; 2 members – private sector agencies, 1 member representing educational community, 1 clergy representation

7.4.4 BEAUTIFICATION COMMITTEE — terms concurrent with Council. 8 electorate members. (*Was not approved since onset of the Council term*) Placed on the Table during Council meeting of February 10, 2014.

7.4.5 ARTS COMMISSION — Appointed by Town Council, 3-year terms. Placed on the Table during Council meeting of March 10, 2014.

- A. REGULAR MEMBERS — 2 — Town code § 5-52
- B. ALTERNATE MEMBERS — 2 — Town code § 5-53

7.4.6 LONGBROOK PARK COMMISSION — Appointed by Council, § 5-39 of Town Code. 2 or 3 Council Members depending on minority representation, 3 Electorate members with 3-year terms. Placed on the Table during Council meeting of March 10, 2014.  
2 regular electorate members needed.

7.4.7 SIKORSKY MEMORIAL AIRPORT NOISE ABATEMENT COMMITTEE — § 7-12 of Town Code, one member appointed by Mayor, one member appointed by PYE. Placed on the Table during Council meeting of March 10, 2014.

- A. 2 members from Lordship section of Stratford— appointed by Town Council.

- B. 1 member from District of Town in which Sikorsky Memorial Airport is located – appointed by Town Council.
- C. 2 members from the Stratford Electorate at-large — appointed by Town Council.

7.4.8 INLAND WETLANDS AND WATERCOURSES COMMISSION — 4-year term appointed by **Council Chairman**. *Placed on the table during Council meeting of June 9, 2014.*

- A. AT-LARGE REPRESENTATIVES – 1 member with term expired May 31, 2014
- B. ALTERNATE MEMBERS– 2 members (terms expired May 31, 2014)

7.4.9 WATERFRONT AND HARBOR MANAGEMENT COMMISSION

- A. Regular member— 5-yr. term, appointment by Town Council. (This unexpired term ends May 31, 2018)
- B. Alternate member — 2-yr term (expired May 31, 2014)

## **8. ORDINANCES AND RESOLUTIONS**

8.1 ORDINANCE AMENDING Ch. 59 – BODY PIERCING AND TATTOO ESTABLISHMENTS (15-01)

sponsored by:

RESOLVED: that the first reading of the above entitled Ordinance be and is hereby dispensed with as copies thereof have been previously furnished to each member of the Town Council, and that the same be adopted as a first reading and referred to the Ordinance Committee for a public hearing. (ordinance appended – pages 23-37)

8.2 RESOLUTION — ASTHMA GRANT AWARD RESOLUTION – Matching funds are not required. Additional staff will not be needed. This is a continuation of the current asthma grant program.

sponsored by: Hon. Joseph Kubic – Ninth district Council Member

**WHEREAS**, *Connecticut Department of Public Health* has made funds available in the amount of \$58,476.00 to the *Stratford Health Department* to lead a regional education initiative to educate families in Bethel, Bridgeport, Danbury, Fairfield, Greenwich, Monroe, Stamford, Stratford, Trumbull, Weston and Westport about childhood asthma for the contract period of 9/1/2014 – 8/31/2016.

**WHEREAS**, it is both desirable and in the public interest to execute a grant agreement with the *Connecticut Department of Public Health* and to accept funding in connection with this project;

**NOW THEREFORE, BE IT RESOLVED BY THE Town Council:**

1. That it is cognizant of the Town grant application and contract to the *Connecticut Department of Public Health* for funds in the amount of \$ 58,476.00 to implement a multi-town asthma education initiative.
2. That it hereby authorizes, directs and empowers the mayor or his designee to execute and deliver such application in the name and on behalf of the *Town of Stratford*, any and all applications and/or agreements (including amendments to, or rescission of such agreement), and any and all related documents necessary to apply for and obtain funding from the *Connecticut Department of Public Health* through the *Asthma Program*.

**9. NEW BUSINESS**

9.1 ShakesBeer donates \$20,000 to the Town for the benefit of Shakespeare Theatre.

**9.2 APPOINTMENTS**

9.2.1 APPOINTMENT OF SEVENTH DISTRICT STRATFORD TOWN COUNCIL MEMBER — pursuant to § 2.1.7 of the Stratford Town Charter, the vacancy shall be filled by vote of the Town Council for the unexpired portion of the term.

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a member of the Stratford Town Council representing the seventh district. (vacated seat of Craig Budnick expires December 15, 2015)

9.2.2 BOARD OF ASSESSMENT APPEALS — 4-yr term § 5-77-78

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed a regular member of the Board of Assessment Appeals (term of Thomas McAlarney expired Jan. 1, 2015)

9.2.3 BOARD OF ZONING APPEALS, ALTERNATE MEMBER — 3-year term

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate member of the Board of Zoning Appeals (term of Thomas Grega expired Jan. 1, 2015)

9.2.4 PLANNING COMMISSION, ALTERNATE MEMBER — 3-year term

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate member of the Planning Commission (term of Mary Young expired Jan. 1, 2015)

9.2.5 ZONING COMMISSION, ALTERNATE MEMBER — 3-year term

RESOLVED: that \_\_\_\_\_ of \_\_\_\_\_ be and is hereby appointed an alternate member of the Planning Commission (term of John J. Dempsey expired Jan. 1, 2015)

**10. ADJOURNMENT**

AMENDMENT TO CHAPTER 172 – Sewers - ARTICLE XI  
FATS, OILS AND GREASE PRETREATMENT (#14-26)

Section 1. Purpose.

Section 2. Definitions.

Section 3. Application to Install a FOG Pretreatment System.

Section 4. Discharge Limits.

Section 5. Pretreatment System Requirements.

Section 6. Alternate FOG Pretreatment System.

Section 7. Pretreatment Equipment Maintenance.

Section 8. FOG Minimization.

Section 9. Recording and Reporting Violations

Fats, Oils and Grease Pretreatment Ordinance

Section 1. Purpose.

The purpose of this Article is to outline the wastewater pretreatment requirements for Food Preparation Establishments and other commercial facilities that generate and discharge fats, oils and grease in their wastewater flow shall install, operate and maintain a FOG pretreatment system. The requirements of this Article shall supplement and be in addition to the requirements of the Town of Stratford's Town Code.

Section 2. Definitions.

AUTHORIZED DISCHARGE – means a discharge authorized by this ordinance.

CONTACT PERSON- the Contact Person shall mean the individual responsible for overseeing daily operation of the Food Preparation Establishment and who is responsible for overseeing the Food Preparation Establishment's compliance with the FOG Pretreatment Program.

FACILITY – means any food preparation establishment at which an authorized discharge occurs.

FOG- FATS, OIL AND GREASE- Any fats, oils and greases generated from the food preparation process as identified by the most current EPA method as listed in 40-CFR 136.3.

FOG INTERCEPTOR- A passive tank installed outside a building and designed to remove fats, oils and greases from flowing wastewater while allowing wastewater to flow through it, and as further defined herein.

FOG RECOVERY UNIT- All active indoor mechanical systems designed to remove fats, oils and greases by physical separation from flowing wastewater, as further defined herein.

FOG PRETREATMENT SYSTEM - Refers to properly installed and operated FOG interceptors, FOG Recovery Units, and other alternate system as approved by the Water Pollution Control Authority.

FOOD PREPERATION ESTABLISHMENTS - Means class III and IV food service establishments and any other facility discharging fats, oils and greases above the effluent limits in Section 5(c) (2) of the Department of Environmental Protection's General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments such as, but not limited to restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias and clubs.

NON-RENDERABLE FATS, OILS AND GREASE - are fats, oils, and greases generated from food preparation processes that have been contaminated during the food preparation process thereby prohibiting this material from being rendered.

NOTIFICATION OF APPROVED ALTERNATE FOG PRETREATMENT SYSTEM – Written notification from the Water Pollution Control Authority for authorization to install and /or operate an alternate FOG Pretreatment System.

REGIONAL FOG DISPOSAL FACILITY- is a treatment works that is permitted by the Connecticut Department of Environmental Protection for the separation and disposal by incineration or other methods of FOG from the wastewater of a facility.

RENDERABLE FOG - are uncontaminated fats, oils and greases from the food preparation process that can be used as a source of material that is free of impurities and can be recycled into products such as animal feed and cosmetics.

RENDERABLE FOG CONTAINER- Means a closed, leak-proof container for the collection and storage of food grade fats, oil and grease.

RENOVATION – means any physical modification of the facility's food preparation area, food service area and/or dining area in excess of \$20,000 in any one calendar year, or a cumulative total in excess of \$40,000 over any period of five (5) years. The dollar value shall be the sum of all renovations for all building permits issued to a facility in a calendar year, for the food preparation, floor service and dining areas, as determined by the Tow of Stratford's Building Official.

WATER POLLUTION CONTROL AUTHORITY (WPCA) – means the Stratford Water Pollution Control Authority established pursuant to section 7-246 of the CGS, who shall be the authorized representative of the Town of Stratford.

**Section 3. Application to Install a FOG Pretreatment System.**

- A. FOG Pretreatment Systems shall be provided for all new and existing Food Preparation Establishments, including restaurants, cafeterias, diners, and similar non-industrial facilities using food preparation processes. FOG Pretreatment System shall not be required for private living quarters or dwelling units.
- B. All new Food Preparation Establishments or Establishments that change ownership as determined by the Water Pollution Control Authority shall submit an application to install a FOG Pretreatment System prior to opening the facility. The FOG System must be installed and functioning within 30 of the application approval date.
- C. A Renovation of the Food Preparation Establishment shall require compliance with all conditions of this ordinance as part of the Renovation.
- D. The Stratford WPCA may, as necessary, designate any area or areas of its sewer system as a problem area related to fats, oils and grease. Such designation shall be by a formal action of the WPCA and shall be based upon evidence of excessive fats, oils and grease including sanitary sewer overflows, excessive maintenance or any means of inspection. Upon notification by the WPCA, any Food Preparation Establishment within the problem area designation shall comply with all conditions of this ordinance within a reasonable time schedule established by the WPCA.
- E. All existing Food Preparation Establishments which require a new FOG Pretreatment System, as determined by the Water Pollution Control Authority, shall submit an application for the installation of a new FOG Pretreatment System within 120 days of the enactment of this ordinance. The application shall be in accordance with Town of Stratford's Town Code. The approved FOG Pretreatment System shall be installed no later than July 1, 2015.
- F. All existing Food Preparation Establishments which have an existing FOG Pretreatment System may, as determined by the Water Pollution Control Authority, keep the existing FOG Pretreatment System in operation. Such facilities shall submit an application an "Alternate FOG Pretreatment System" as described in {Section 6 C}. Such application shall be submitted within 120 days of the enactment of this ordinance..
- G. All costs and related expenses associated with the installation and connection of the FOG Interceptor(s) or Alternate FOG Pretreatment System(s) shall be borne by the Food Preparation Establishment. The Food Preparation Establishment shall indemnify the Town of Stratford and its Agents for any loss or damage that may directly or indirectly occur due to the installation of the FOG Pretreatment System.
- H. Applications to Install a FOG Pretreatment or an "Alternate FOG Pretreatment System" shall be submitted on standard forms provided by the WPCA and shall be accompanied by a Fifty Dollar (\$50.00) fee. A letter of intent or contract from the approved FOG cleaner/hauler shall be submitted as part of the application.

**Section 4. Discharge Limits.**

- A. No facility shall discharge or cause to be discharged any wastewater with a FOG concentration in excess of one hundred (100) milligrams per liter, as determined by the currently approved test for total recoverable fats and greases listed in 40 CFR 136.3, or in concentrations or in quantities that will harm either the sewers, or Water Pollution Control Facility, as determined by the Water Pollution Control Authority.
- B. At no time shall the pH of the wastewater discharged from the FOG Interceptor, FOG Recovery Unit or other approved units and prior to mixing with any other wastewater from the Food Preparation Establishment be less than five (5.0) nor greater than ten (10.0) standard units at any time.

**Section 5. Pretreatment System Requirements.**

- A. An application for the design and installation of a FOG Pretreatment System shall be subject to review and approval by the Director of Public Works per the Town of Stratford's Town Code, and subject to the requirements of all other applicable codes, ordinances and laws.
- B. Except as provided by {Section 6}, the wastewater generated from Food Preparation Establishments shall be treated to remove FOG using a FOG Interceptor.
- C. Every structure at the subject facility shall be constructed, operated and maintained in a manner to ensure that the discharge of food preparation wastewater is directed solely to the FOG Interceptor, or Alternate FOG Pretreatment System. No valve or piping bypass equipment that could prevent the discharge of food preparation wastewater from entering appropriate treatment equipment shall be present.
- D. The Contact Person at each Food Pretreatment Establishment shall notify the Water Pollution Control Authority when the FOG Pretreatment System is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the plumbing inspector, and/ or the Water Pollution Control Authority.
- E. All applicable local plumbing / building codes shall be followed during the installation of the FOG Pretreatment System.
- F. FOG Interceptor Requirements.
  - (1) The FOG Interceptor shall be installed on a separate building sewer line servicing kitchen flows and shall be connected only to those fixtures or drains which would allow fats, oils, and grease to be discharged. This shall include:
    - (a) Pot sinks;
    - (b) Pre-rinse sinks;
    - (c) Any sink into which fats, oils, and grease are likely to be introduced;
    - (d) Soup kettles or similar devices;

- (e) Wok stations;
  - (f) Floor drains or sinks into which kettles may be drained;
  - (g) Automatic hood wash units;
  - (h) Dishwashers without pre-rinse sinks; and
  - (i) Any other fixtures or drains those are likely to allow fats, oils or greases to be discharged.
- (2) No food grinder shall discharge to the FOG Interceptor.
- (3) All wastewater flows connected to the FOG Interceptor, FOG Recovery Unit or other approved units shall be screened to prevent solids from entering the treatment units. Screened solids shall be disposed of in accordance with the applicable solid waste regulations.
- (4) No fixture or drain other than those listed in paragraph (1) above shall be directly connected to the FOG Interceptor unless approved by the Water Pollution Control Authority.
- (5) No valve or piping bypass equipment that could prevent the discharge of wastewater associated with the Food Preparation Establishment. from entering appropriate treatment equipment shall be present at such Food Preparation Establishment.
- (6) An outdoor FOG interceptor shall have a minimum depth of four (4) feet and a minimum detention time of :
- (a) At least twenty-four (24) hours of the maximum daily flow from the fixtures described in subparagraph (1) of this section based on water meter records or other methods of calculation as approved by the Water Pollution Control Authority, or
  - (b) 1000 gallons, whichever is greater.
- (7) FOG Interceptor shall have a minimum of two compartments. The two compartments shall be separated by a baffle that extends from the bottom of the FOG interceptor to a minimum of five (5) inches above the static water level. An opening in the baffle shall be located at mid-water level. The size of the opening shall be at least eight (8) inches in diameter but not have an area exceeding one hundred eighty (180) square inches.
- (8) FOG Interceptors shall be watertight and constructed of precast concrete, or other durable material. FOG Interceptors shall be located so as to be accessible for convenient inspection and maintenance. No permanent or temporary structures or containers shall be placed directly over the FOG Interceptor. FOG Interceptors installed in areas subject to traffic shall be designed to accommodate traffic loading.

- (9) FOG Interceptors constructed of precast concrete shall meet the following requirements:
- (a) All concrete FOG Interceptors shall be fabricated using minimum 4,000-psi concrete per ASTM standards with four (4) to seven (7) percent air entrainment.
  - (b) The FOG Interceptor shall have a minimum liquid depth of thirty-six (36) inches, measured from the bottom of the tank to the outlet invert.
  - (c) The air space provided between the liquid height and the underside of the tank top shall be a minimum of eight (8) inches.
  - (d) All structural seams and/or lifting holes shall be grouted with non-shrinking cement or similar material and coated with a waterproof sealant. In areas where seasonal high ground water is at an elevation greater than the bottom of the FOG Interceptor, but below the top of the FOG Interceptor, the exterior top, sides and bottom shall be coated with a waterproof sealant creating a water-tight condition for the tank. In areas where seasonal high ground water is at an elevation greater than the top of the FOG Interceptor the exterior of the manhole extensions to grade shall be coated with a waterproof sealant creating a water-tight condition for the extension.
  - (e) The manhole cover shall be placarded with the warning "Entrance into the tank could be fatal."
  - (f) Voids between the FOG Interceptor's walls and inlet and outlet piping shall be grouted with non-shrinking cement and coated with a waterproof sealant.
  - (g) The liquid capacity of the tank shall be marked on top of the tank between the outlet access hole and the outlet wall or on the vertical wall between the top of the tank and the top of the outlet opening.
  - (h) The invert elevation of the inlet shall be between three (3) inches and six (6) inches above the invert elevation of the outlet.
- (10) All non-concrete septic tanks must be approved for use by the Water Pollution Control Authority.
- (11) Separate cleanout covers shall be provided over the inlet and outlet of the FOG Interceptor so as to provide easy access for inspection and cleaning. Cleanout ports shall be fitted with manhole extensions to grade. In areas subject to traffic, the extensions shall be ductile or cast iron frames and round manhole covers. Where concrete covers are used, the lid must either have a minimum

weight of fifty-nine (59) pounds or contain a locking mechanism to prevent unauthorized entrance. The manholes, extensions and outlet access holes to the FOG Interceptor shall have a minimum inside diameter of seventeen (17) inches.

- (12) The inlet and outlet piping shall be PVC meeting ASTM D1785 Schedule 40 with rubber compression gaskets or solvent weld couplings. The joints must meet ASTM D3212 specifications. The Water Pollution Control Authority may approve other piping shall be four (4) inches. The inlet and outlet shall utilize a tee-pipe fitting on the interior of the FOG Interceptor. No caps or plugs shall be installed on the tee-pipes. The tee-pipe on the inlet and outlet shall extend to within twelve (12) inches of the bottom of the tank and at least five (5) inches above the static liquid level of the tank.
- (13) The FOG Interceptor shall be set level on a consolidated, stable base that has been mechanically compacted, with a minimum of six (6) inches of crushed stone so that no settling or tipping of the FOG Interceptor can occur. Select backfill shall be placed and compacted around the FOG Interceptor in a manner to prevent damage to the tank and to prevent movement caused by frost action.
- (14) The outlet discharge line from the FOG Interceptor shall be directly connected to the municipal sanitary sewer.
- (15) The FOG Interceptor shall be located so as to maintain the separating distances from well water supplies set forth in Section 19-13-B51d of the Public Health Code.
- (16) The following minimum-separating distances shall be maintained between the Fog Interceptor and the items listed below:
  - (a) Property line—10 ft.
  - (b) Building served (no footing drains)—15ft
  - (c) Ground water intercepting drains, footing drains and storm drainage systems—25 ft
  - (d) Open watercourse—50 ft (subject to Inland Wetland Commission Approval)
- (17) When necessary due to installation concerns, testing for leakage will be performed using either a vacuum test or water-pressure test.
  - (1) Vacuum Test - Seal the empty tank and apply a vacuum to two (2) inches of mercury. The tank is approved if ninety percent (90%) of the vacuum is held for two (2) minutes.

- (2) Water-Pressure Test –Seal the tank, fill with water, and let stand for twenty-four (24) hours. Refill the tank. The tank is approved if the water level is held for one (1) hour.

#### **Section 6. Alternate FOG Pretreatment System.**

- A. When it is not practical for the Food Preparation to install an outdoor in ground FOG Interceptor per {Section 5}, an Alternate FOG Pretreatment System may be utilized upon approval by the Water Pollution Control Authority and upon receiving a “Notification of Approved Alternative FOG Pretreatment System”. Approval of the system shall be based on demonstrated (proven) removal efficiencies and reliability of operation. The Water Pollution Control Authority will approve these systems on a case-by-case basis. The Contact person may be required to furnish analytical data demonstrating that FOG discharge concentrations do not exceed the limits established in this ordinance.
- B. Alternate FOG Pretreatment System shall consist of a FOG Recovery Unit meeting the requirements of {Paragraph D below}, unless there are special circumstances that preclude such installation, as approved by the Water Pollution Control Authority, and in accordance with {Paragraph E}.
- C. Alternate FOG Pretreatment Systems shall meet the requirements of {Section 5, A through E}, and shall be installed immediately downstream of each of the fixtures and drains listed in {Section 5 F. (1)}, and shall meet the requirements of {Section 5 F. (2) (3) and (5)}.
- D. Alternate FOG Pretreatment System Requirements.
  - (1) FOG Recovery Units shall be sized to properly pretreat the measured or calculated flows using methods approved by the Water Pollution Control Authority.
  - (2) FOG Recovery Units shall be constructed of corrosion-resistant material such as stainless steel or plastic.
  - (3) Solids shall be intercepted and separated from the effluent flow using a strainer mechanism that is integral to the unit.
  - (4) The FOG Recovery Units shall operate using a skimming device, automatic draw-off, or other mechanical/hard wired electrical means to automatically remove separated FOG. This automatic skimming device shall be controlled using a timer or level control. The operation of the automatic skimming device shall be field-adjustable. The FOG Recovery Unit's timer shall be set to operate the unit no less than once per day.
  - (5) FOG Recovery Units shall be fitted with an internal or external flow-control device to prevent the exceedence of the manufacture's recommended design flow.

- (6) FOG Recovery Units shall be located to permit frequent access for maintenance and inspection.

#### E. Other Alternate FOG Pretreatment System

- (1) Other Alternate FOG Pretreatment Systems that do not meet the requirements of {Section 5 F or Section 6 D}, may be considered for approval by the Water Pollution Control Authority on a case-by-case basis. The application shall include:
  - (a) Documented evidence that the proposed Alternate FOG Pretreatment System will not discharge FOG concentrations that exceed the discharge limits per {Section 4}.
  - (b) Plans and specifications for the proposed system including plans and profile of system installation, manufacturer's literature, documentation of performance and any other information detailing the proposed alternate system.
  - (c) A written Operation and Maintenance Plan, which shall include the schedule for cleaning and maintenance, copies of maintenance log forms, a list of spare parts to be maintained at the subject facility, and a list of contacts for the manufacturer and supplier. Following receipt of written Notification of Approved Alternate FOG Pretreatment System from the Water Pollution Control Authority, the operation and maintenance plan shall be maintained on the premises. The plan shall be made available for inspection on demand by the Water Pollution Control Authority.
  - (d) A written FOG Minimization Plan, which shall include procedures for all Food Preparation Establishment employees to minimize FOG entering the wastewater collection system.
  - (e) A description of a FOG Pretreatment Training Program for Food Preparation Establishment Employees in FOG minimization procedures
- (2) A Notification of Approved Alternate FOG Pretreatment System may be granted for a duration not to exceed three (3) years, with extensions, when demonstrated to the satisfaction of the Water Pollution Control Authority that the proposed Alternate FOG Pretreatment System, Operation and Maintenance Plan, FOG Minimization Plan and FOG Pretreatment Training Program are adequate to maintain FOG concentration in the wastewater discharge below the limits set in {Section 4}.

**Section 7. Pretreatment Equipment Maintenance**

- A. The FOG Pretreatment System shall be maintained continuously in satisfactory and effective operation, at the Food Preparation Establishment's expense.
- B. The Contact Person shall be responsible for the proper removal and disposal, by appropriate means, of the collected material removed from the FOG Pretreatment System.
- C. The Contact Person may use hot water, steam, chemicals, or biological additives in the normal course of facility maintenance, but may not intentionally use hot water, steam, physical means, chemicals, or biological additives that will cause the release of fats, oils, and grease from the FOG Interceptor, FOG recovery unit or other approved unit.
- D. The Contact Person shall ensure that the FOG Interceptor is inspected when pumped to ensure that all fittings and fixtures inside the interceptor are in good condition and functioning properly. The depth of grease inside the tank shall be measured and recorded in the maintenance log during every inspection along with any deficiencies and the identity of the inspector.
- E. The Contact Person shall determine the frequency at which its FOG Interceptor(s) shall be pumped according to the following criteria:
  - (1) The FOG Interceptor shall be cleaned by a subsurface sewage disposal cleaner whenever twenty-five (25) percent of the operating depth of the FOG Interceptor is occupied by fats, oils, grease, and settled solids, or a minimum of once every three (3) months, whichever is more frequent. Cleaning of FOG Interceptors shall include the complete removal of all contents, including floating materials, wastewater and settled sludge. Decanting back into the FOG Interceptor shall not be permitted. FOG interceptor cleaning shall include scraping excessive solids from the wall, floors, baffles and all piping.
  - (2) If the Contact Person can provide data demonstrating that less frequent cleaning of the FOG Interceptor will not result in a grease level in excess of twenty-five (25) percent of the operating depth of the FOG Interceptor, the Water Pollution Control Authority may allow less frequent cleaning. The contact person shall provide data including plumbing receipts for four (4) consecutive cleanings of the FOG Interceptor, complete with a report from the Grease Trap/Interceptor Cleaner indicating the grease level at each cleaning, and the FOG Interceptor maintenance log.
  - (3) A maintenance log shall be maintained in the premises and shall include the following information: dates of all activities; volume pumped; grease depth measured at the time of inspection; and any maintenance work or changes in equipment associated with such discharge that has taken place since the last inspection; grease trap/interceptor cleaner's name, title and signature; location of

the waste disposal; means of disposal for all material removed from the FOG Interceptor; and the name of the individual recording the information. The maintenance log and grease trap/interceptor cleaner's receipts shall be made available to the Water Pollution Control Authority for inspection on demand. Interceptor cleaning, inspection records and all cleaning and maintenance logs and analytical results from any monitoring elected to be done by the owner of the Food Preparation Establishment shall be maintained on file a minimum of five (5) years.

- F. All material removed and hauled from FOG Pretreatment Systems must be performed by a subsurface sewage disposal cleaner or entity approved by the Water Pollution Control Authority. Pumped material shall be disposed of at a Regional FOG disposal facility.
- G. The Contact Person shall be responsible to submit maintenance reports to the Water Pollution Control Board every 2 years. Reports shall be submitted before July 1 in each odd year (2013, 2015, 2017 etc.). The contact person shall notify the WPCA within 30 days of changing approved FOG cleaner/haulers.
- H. The Contact Person shall be responsible for the cost and scheduling of all actions needed to comply with this {Article}. The Contact Person shall be notified in writing of violations of this Article by the Water Pollution Control Authority. Actions to comply with this {Article} shall be completed within the time limits as given below:

Violation Days from Inspection to Correct Violation

Equipment not registered—30 days

Equipment not properly installed—90 days

Major violations (outdoor and indoor)—30 days

Major Violations—90 days

- I. If the required actions to comply with this article are not corrected within the time limits specified in Section 7.H. the property owner may be fined an amount as determined by the WPCA not to exceed Five Hundred Dollars (\$500.00)

**Section 8. FOG Minimization.**

- A. The Contact Person shall make every practical effort to reduce the amount of FOG contributed to the sewer system
- B. Renderable fats, oils and greases shall be stored in a separate, covered, leak-proof, Renderable FOG Container, stored out of reach of vermin, and collected by a renderer.

- C. Small quantities of FOG scraped or removed from pots, pans, dishes and utensils shall be directed to the municipal solid waste stream for disposal.

### **Section 9. Recording and Reporting Violations.**

- A. If any analytical results from monitoring data elected to be done by the Contact Person or owner of the Food Preparation Establishment, or other information indicates that a violation of an effluent limitation or another condition of this ordinance has occurred, the Contact Person shall immediately take steps to identify, correct and mitigate the results of any and all conditions causing or contributing to such violation and shall take reasonable steps to prevent further such violation. A log of such violations shall be maintained on site and contain, at a minimum, the following information:
  - a. The condition(s) or effluent limitation(s) violated;
  - b. The analytical results or other information demonstrating such violation;
  - c. The cause of the violation, if known;
  - d. Dates and times during which the violation continued;
  - e. If the violation was not corrected immediately upon being discovered, the anticipated time it is expected to continue; and upon correction, the date and time of correction;
  - f. Steps taken and planned to reduce, eliminate and prevent a reoccurrence of the violation, and the dates such steps have been or will be executed;
  - g. The name, title and signature of the individual recording the information and the date and time of such recording.

The Contact Person shall be required to report in writing such violation and such corrective action to the Commissioner of the Department of Energy and Environmental Protection and the Water Pollution Control Authority within five (5) days of the Contact Person's learning of such violation.

- B. All reports made by the Contact Person shall be certified in the following manner: "I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with Section 221-6 of the General Statutes, pursuant to Section 53a-157b of the General Statutes, and in accordance with any other applicable statute."
- C. If any analytical results indicate the pH exceeds the limitation listed in Section 4 of this ordinance by greater than one unit or lower than one unit, or that fats, oils, and grease exceed the limitation listed in Section 4 of this ordinance, the Contact Person shall immediately notify the Water Pollution Control Authority.

- D. Immediately upon learning or having reason to believe that an authorized discharge may cause or has caused a sewer blockage or may adversely affect the operations of the Stratford sewer system, the Contact Person shall immediately notify the Water Pollution Control Authority and the Commissioner of the Department of Energy and Environmental Protection.

**ORDINANCE AMENDING Ch. 59 – BODY PIERCING AND TATTOO ESTABLISHMENTS  
(15-01)**

As used in this chapter, the following terms shall have the meanings indicated:

**ADVANCED PRACTICE REGISTERED NURSE**

A person licensed to perform advanced level nursing practice activities pursuant to Subsection (b) of Section 20-87a of the Connecticut General Statutes.

**AUTHORIZED AGENT**

An employee of the Stratford Health Department designated by the Director of Health to enforce the provisions of this chapter.

**BLOOD**

Human blood, human blood components and products made from human blood.

**BLOODBORNE PATHOGENS**

Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B virus (HBV), Hepatitis C virus (HCV) and human immunodeficiency virus (HIV).

**BODY PIERCER**

A person who engages in the art of body piercing.

**BODY PIERCING**

Puncturing or penetration of the skin of a person with pre-sterilized single-use needles and the insertion of pre-sterilized jewelry or other adornment thereto in the opening, except that puncturing the outer perimeter and/or lobe of the ear with a pre-sterilized single-use stud-and-clasp ear-piercing system shall not be included in this definition.

**BODY-PIERCING ESTABLISHMENT**

Any room or space where body piercing is practiced or where the business of body piercing is conducted or any part thereof.

**CONTAMINATED**

The presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

**CRITICAL ITEMS**

Those aspects of a procedure which, if violated, constitute an imminent hazard to health and safety.

**CRITICAL VIOLATIONS**

One or more of the following findings:

Temporary tattoo technician not licensed by Connecticut Department of Public Health. A person using the term “tattooist”, “tattoo artist”, or “tattoo technician” not licensed by the Connecticut Department of Public Health.C. Non-disposable instruments and equipment improperly sanitized and stored.

D. Reuse of single-use items.

E. Improper operator scrub technique before and after a procedure.

F. Improper glove technique during a procedure.

G. No hepatitis vaccination program in place.

H. Piercing or tattooing an unemancipated minor under the age of 18 years of age without the written permission of the parent or guardian of such minor.

I. Student tattoo technician not registered with the Connecticut Department of Public Health.

J. Plumbing not in working order.

K. Tattoo technician not under the written supervision of a Physician..

#### **DEPARTMENT**

The Stratford Health Department, also referred to as "this Department" herein.

#### **DIRECTOR OF HEALTH**

The Director of Health of the Stratford Health Department.

#### **DISINFECTED**

The destruction of all vegetative forms of pathogenic agents by chemical and physical means.

#### **EAR PIERCING**

The puncturing of the outer perimeter or lobe of the ear with a pre-sterilized single-use stud-and-clasp ear-piercing system following manufacturer's instructions. Under no circumstances shall ear-piercing studs and clasps be used anywhere on the body other than the outer perimeter and lobe of the ear.**EQUIPMENT**

All machinery, including fixtures, containers, vessels, tools, implements, furniture, display and storage areas, sinks, and other apparatus used in connection with the operation of the establishment.

#### **EXPOSURE INCIDENT**

A specific eye, mouth or other mucous membrane, non-intact skin or other parenteral contact with blood or other potentially infectious materials.

#### **HOT WATER**

Water which is at a temperature of not less than 110° F

#### **INFECTION**

Invasion and colonization of body tissues by pathogenic organisms.

#### **INFECTIOUS WASTE**

Waste generated in the treatment or service of a human which falls under one or more of the following categories:

A.Pathological waste— Human pathological wastes, including tissues that are removed during medical procedures.

B.Human blood and bodily fluid waste— Includes liquid waste, human blood, blood products, items saturated, or dripping, with blood or caked with dried human blood.

#### **JEWELRY**

A surgical steel or other approved component ornament of good quality, corrosion-resistant, free of scratches or cut and designed for use in body piercing.

#### **OSTEOPATHIC PHYSICIAN**

A person licensed to practice osteopathy pursuant to Chapter 371 of the Connecticut General Statutes.

#### **PARENTERAL**

Piercing mucous membranes or the skin barrier through such events as needle sticks, cuts or abrasions.

**PHYSICIAN**

A person licensed to practice medicine and surgery pursuant to Chapter 370 of the Connecticut General Statutes.

**PHYSICIAN ASSISTANT**

A person licensed pursuant to Section 20-12b of the Connecticut General Statutes.

**REGISTERED NURSE**

A person licensed to practice nursing pursuant to Subsection (a) of Section 20-87a of the Connecticut General Statutes.

**REGULATED WASTE**

Liquid or semi liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

**SCARIFICATION**

Permanent modification to the human skin from the infliction of a wound by creating designs made up of scars produced by branding (scarification through burns), cuttings (fine scarification using a thin blade), and general scarification using various means other than those body-piercing and tattooing procedures permitted in the regulations of the Stratford Health Department.

**SINGLE USE**

An instrument or glove designated and labeled for one (1) use only, which must be discarded after use.

**STERILIZATION**

The process of destruction of all forms of microbial life by physical or chemical means.

**STUDENT TATTOO TECHNICIAN**

A student who is registered with the Connecticut Department of Public Health as Student Tattoo Technician as defined by the state code. A Student Tattoo Technician works under the supervision of a licensed Tattoo Technician per the state code.

**TATTOO**

The indelible mark, figure or decorative design introduced by insertion of nontoxic dyes or pigments into or under the subcutaneous portion of the skin of a live human being to alter the appearance of the skin for nonmedical reasons.

**TATTOO ARTIST**

Any person applying a tattoo. See definition of tattoo technician.

**TATTOO ESTABLISHMENT**

Any room or space where tattooing is practiced or where the business of tattooing is conducted or any part thereof.

**TATTOOING**

The process by which the skin is marked or colored by the insertion of nontoxic dyes or pigments into or under the subcutaneous portion of the skin so as to form indelible marks for cosmetic, medical or figurative purposes.

**TATTOO TECHNICIAN or TATTOO ARTIST**

Any person who performs tattooing or body piercing other than a physician, an advanced-practice registered nurse rendering service under the direction of a physician, a registered nurse rendering service under the supervision, control and responsibility of a physician, a physician assistant rendering service under the supervision, control and responsibility of a physician. As of January 1, 2015, a tattoo technician or tattoo artist must be licensed by the Connecticut Department of Public Health.

**TEMPORARY BODY-PIERCING EVENTS**

A body-piercing establishment that operates for no more than 72 consecutive hours in conjunction with a festival at an established locale.

**TEMPORARY TATTOO ESTABLISHMENT**

A tattoo establishment that operates at a fixed location for a period of time of not more than 72 consecutive hours in conjunction with a single event, celebration or festival at an established locale. Any Tattoo Technician licensed in a state other than Connecticut must have a temporary permit from the Connecticut Department of Public Health to tattoo at the temporary event.

**UNIVERSAL PRECAUTIONS**

An approach to infection control in which all human blood and certain human body fluids are treated as if known to be infected with Hepatitis B virus (HBV), Hepatitis C virus (HCV), human immunodeficiency virus (HIV) and other blood borne pathogens.

**§ 59-2 Inspections. Fees.**

- A.** The Director of Health or authorized agent shall inspect each body-piercing or tattoo establishment at least once annually, and shall make as many inspections or re-inspections as deemed necessary for the enforcement of this chapter. Failure to pass an inspection or re-inspection may result in suspension or revocation of the license.
- B.** The Director of Health or authorized agent, after proper identification, shall be permitted to enter during normal business hours, any body piercing or tattoo establishment for the purpose of making an inspection to determine compliance with this chapter.
- C.** The Director of Health or authorized agent shall be permitted to examine records of the body-piercing or tattoo establishment, to obtain information pertaining to persons pierced or tattooed and equipment, but not including financial records. There shall be a person knowledgeable of these records in the body piercing or tattoo establishment during all hours of operation.
- D.** Whenever the Director of Health or authorized agent conducts an inspection of a body-piercing or tattoo establishment, the Department's findings shall be recorded on an inspection report form provided for this purpose, and a copy of such inspection report form shall be furnished to the license holder or person in charge at the time of the inspection.
- E.** Whenever the Director of Health or authorized agent conducts an inspection and observes that any of the requirements of this chapter have been violated, the Director of Health or authorized agent shall notify the license holder or person in charge of such violations by means of the inspection report form or other written notice. Such notification shall include the specific violation(s) observed and a reasonable period of time for the correction of the observed violation(s).

- F. The Director of Health or authorized agent may, upon written notice to the license holder or person in charge, place an embargo on any item, substance or equipment that is determined to be or is believed associated with the cause of illness or infection. It shall be considered unlawful to remove or alter such an embargo without the permission of the Director of Health, except by order of a court of competent jurisdiction.
- G. There will be a fee assessed to the establishment for a failed inspection and re-inspection. All fees will be in accordance with the Health Department annual fee schedule which is approved by Town Council on an annual basis.

§ 59-3 Establishment requirements.

A. Plan review and submission.

- (1) When a body-piercing or tattoo establishment is constructed or remodeled, plans drawn in a minimum one-quarter-inch scale and specifications for construction must be submitted along with a body-piercing or tattoo establishment license application to the Department for approval.
  - (2) The plans must include but are not limited to: description and location of work areas and equipment, sinks, counters, storage areas, toilet facilities, fixtures, waiting and viewing areas.
  - (3) Manufacturers' specification sheets shall be included in the plan submission for all equipment, floors, walls and ceilings.
  - (4) All plans must be approved by this Department prior to construction of the body-piercing or tattoo establishment.
  - (5) There will be a fee for the plan review application and the annual license. Fees will be in accordance with the Health Department annual fee schedule.
- B. Location of establishment.
- (1) Body-piercing or tattoo establishments shall be in locations permissible under local zoning codes.
  - (2) Written approval from the local Zoning Code Enforcement Officer must be submitted with the plans.

C. Floors, walls and ceilings.

- (1) Floors shall be constructed of approved materials so as to be durable, easily cleanable, nonabsorbent and free of holes. Floors shall be kept clean and in good repair.
  - (2) The juncture between the floor and wall shall be closed or covered to permit effective cleaning.
  - (3) Walls, ceilings and attached equipment shall be constructed of approved materials so as to be durable, easily cleanable, nonabsorbent and free of holes. Walls, ceilings and attached equipment shall be kept clean and in good repair and finished in a light color that will not conceal the presence of soil and debris.
- D. Equipment.

- (1) The chair, seat or table to be utilized by the person receiving the body piercing or tattoo shall be smooth, easily cleanable and nonabsorbent.
- (2) All chairs, seats or tables must be cleaned and disinfected, with methods approved by the Department, prior to use by the next client.
- (3) In addition to Subsection D(2), in the case of tattooing, all walls with chairs, seats and tables placed against them must be sanitized prior to the use of chairs, seats and tables by the next client.
- (4) All equipment shall be maintained in good repair.

E. Lighting. Body-piercing or tattoo establishments shall have adequate lighting of at least 50 foot candles of illumination. Such illumination shall be reasonably free from glare and distributed so as to avoid shadows.

F. Ventilation. Ventilation shall be provided so as to prevent condensate and/or excess moisture and to remove objectionable odors in such a manner that will not cause a public health nuisance.

G. Water supply. The water supply shall be adequate, of a safe, sanitary quality and from a source approved by the Department. Hot and cold water under pressure shall be provided at all sinks.

H. Toilet facilities.

(1) All body-piercing or tattoo establishments shall provide an adequate toilet facility for the employees and comply with all applicable statutes, ordinances and regulations. Sewage shall be disposed of in a public sewer system or, in the absence thereof, in a manner approved by the Director of Health.

(2) Toilet facilities shall be sanitary and easily cleanable.

(3) Toilet facilities, including rooms and fixtures, shall be kept in a clean condition and in good repair.

(4) Antibacterial liquid pump soap, toilet paper and single-use, disposable towels shall be provided at each hand wash sink in each toilet room.

(5) The doors for all toilet rooms shall be self-closing.

(6) Equipment or supplies used for body-piercing or tattoo procedures shall be neither used nor stored in the toilet facilities.

I. Hand washing.

(1) Each work station in the body-piercing or tattoo establishment shall have a hand washing sink in close proximity with hot and cold potable running water for the exclusive use of the tattoo artist or body piercer for the purpose of washing his or her hands and prepping clients. When work stations are in separate rooms, a hand sink will be required in each room.

(2) At each hand washing sink liquid antibacterial pump soap and single-use, disposable towels shall be provided at all times. Common towels are prohibited.

J. Refuse and refuse containers.

(1) All garbage and rubbish shall be kept in leak-proof, nonabsorbent, easily cleanable, covered containers, which must be kept clean.

(2) Refuse containers inside the establishment shall be operated by a foot pedal.

(3) All garbage and rubbish shall be disposed of with sufficient frequency and in such manner as to prevent a public health nuisance.

(4) Infectious wastes shall be disposed of in compliance with the regulated and infectious waste requirements of these regulations.

(5) Used sharps containers will be locked in a specified area away from clean supplies unless locked to a wall mount unit.

K. Regulated and infectious waste.

- (1) All infectious and regulated waste must be disposed of by means of medical regulated waste containers and licensed medical waste disposal methods.
- (2) All tattooing needles and attached equipment, or body-piercing needles, shall be disposed of in sharps containers. The needles shall not be broken prior to disposing in the sharps container.
- (3) A written plan of disposal for regulated and infectious waste must be submitted to the Department for approval prior to issuance of the body-piercing or tattoo establishment license.

L. Pest control.

- (1) Effective measures shall be taken to protect against entrance, or presence, or breeding of pests or rodents inside the body-piercing or tattoo establishment.
- (2) All openings into the outer air shall be effectively screened to prevent the entrance of flies.

M. Toxic items.

- (1) Only poisonous and toxic materials that are required to maintain sanitary conditions and utilized in sterilization may be stored in the body-piercing or tattoo establishment. These materials shall be labeled and stored in such a manner as to not constitute a hazard to clients, employees or equipment.
- (2) All toxic items will have a material safety data sheet (MSDS) sheet available including soap products.

N. Miscellaneous items.

- (1) Only articles deemed necessary for the routine operation and maintenance of the body-piercing or tattoo establishment shall be permitted in the body-piercing or tattoo establishment.
- (2) No live animals shall be kept or allowed in the body-piercing or tattoo establishment, except guide dogs that accompany physically disabled person(s) may be permitted.
- (3) Adequate facilities shall be provided for the storage of employees' clothing and personal belongings. This storage shall not be located in the work areas.
- (4) There shall be no human habitation, food service and/or preparation or other such activity which may cause potential contamination of work surfaces inside the body-piercing or tattoo establishment.

§ 59-4 Certification and licensure.

A. All Tattoo Technicians are to be licensed in accordance with the Connecticut General Statutes Chapter 387a Section 20-266o-266s Section.

- (1) Physicians and osteopathic physicians licensed by the State of Connecticut, who perform body piercing in a medical care setting as part of patient treatment, are exempt from local body-piercing regulations.
- (2) Body piercing technicians are not subject to any state regulations with the exception of being prohibited in performing body piercings on individuals less than 18 years old per Connecticut State Public Health Code 19a-92a. Individuals who pierce only the lobe and/or the outer perimeter of the ear, excluding the tragus, with a pre-sterilized single-use stud-and-clasp ear-piercing system are exempt from 19a-92a. Individuals who use ear-piercing systems must conform to the manufacturer's directions on use and applicable U.S. Food and Drug Administration requirements. The Department retains authority to investigate consumer complaints relating to alleged misuse or improper disinfection of ear-piercing systems.

B. Tattoo artist license.(1)

The Tattoo Technician license shall be posted in a prominent location where it can be observed by patrons..

(3)s.

(5) The body piercer or tattoo artist blood borne pathogen certificate shall be posted in a prominent location where it can be observed by patrons.

(7) (8) Each body piercer or tattoo artist shall provide the Department with documentation regarding the establishment's Exposure Control Plan as recommended by the Association of Professional Tattooists.

(9).C. Body-piercing or tattoo establishment licensure.

(1) No person or person(s), except those exempt under § 59-4A(1) and (2) of this chapter, shall operate a body-piercing or tattooing establishment until a body-piercing or tattoo establishment license from the Department has been issued.

(2) The body piercing or tattoo establishment license shall be issued by the Department prior to opening and shall expire on June 1 of each year.

(3) The fee for the body-piercing or tattoo establishment license shall be set by the Director of Health in accordance with the annual fee schedule that will be reviewed and approved annually by Town Council.

In order to receive a body piercing or tattoo establishment license, the establishment shall meet the body-piercing or tattoo establishment requirements of this chapter.

(4) Each applicant shall provide the Department with the following information: full name(s) and address(es) of the applicants, and whether such applicant is an individual, firm or association, including but not limited to, any partnership, limited partnership, limited-liability partnership, company, limited-liability company, corporation, trust or estate, and if not an individual, the name(s) of the partners, members, officers, or, if applicable, the duly authorized representative thereof, including, but not limited to, a fiduciary, trustee or receiver, together with their addresses; establishment name, proposed hours of operation, names of all employees and their exact duties, complete description of services provided, exact inventory of equipment to be utilized in the body-piercing or tattoo procedure, name of manufacturers and names and addresses of all suppliers of all body-piercing or tattoo equipment and supplies, a copy of the written aftercare instructions given to each client and a copy of the informed consent that each client must sign.

(5) The bodypiercing or tattoo establishment license shall not be transferable between persons, places or other establishments. Any planned change in ownership or renovation of a facility must be reported promptly to the Department, and such changes must be approved by the Department prior to the issuance of an operating license.

(6) No person shall build a new facility, or extensively alter an existing facility, without first submitting plans to the Department for approval prior to the commencement of a project.

- (7) The body piercing or tattoo establishment license shall be displayed in a prominent location within the establishment where it can be observed by patrons.
- (8) The tattoo establishment shall provide the Department with the proper documentation as may be required pursuant to CGS Chapter 387a Section 266o-266s. (9) The body-piercing or tattoo establishment license may be immediately revoked when, in the opinion of the Director of Health or authorized agent, unsanitary or other conditions, including but not limited to critical violations as described in the definition of "critical violations" in § **59-1** of this chapter, that constitute an immediate hazard to the public health exist.

D. Temporary licenses.

- (1) Applicants applying for a temporary body-piercing or tattoo establishment license shall submit an application approved by the Department, which provides all necessary documentation to attest to the ability of the proposed operation to substantially comply with the provisions of this document. The application must be received no later than 15 business days prior to the event and must be accompanied by all applicable fees. If the temporary event application is submitted less than 15 business days prior to the event an additional application fee will be assessed in accordance with the Health Department annual fee schedule. No license shall be issued without satisfactory inspection of the temporary facility by the Department in advance of the event.
- (2) Temporary tattoo establishments shall provide the Department with the proper documentation as may be required pursuant to Connecticut General Statutes Chapter 387a Section 266o-266s.
- (3) Body piercers working at a temporary establishment shall meet the requirements of the blood borne pathogens certification per § **59-4B** of this chapter.
- (4) The temporary body-piercing or tattoo establishment shall meet the requirements 1 of this chapter.
- (5) One person, business or corporation may not receive more than four temporary body piercing event or tattoo establishment licenses each calendar year. Each temporary establishment license shall last no more than 14 days.

§ 59-5 Records.

- A. Each body piercer shall keep records for each client for a minimum of seven years, which shall consist of the following: name, address and telephone number of the client, the date of the body piercing, a photocopy of the legal document that certifies the client is at least 18 years of age or an emancipated minor, the area of the body that was pierced, description of the jewelry inserted, a photocopy of the written aftercare instructions of the body piercing and a release form signed by the client that these records are accurate. Permanent records for each emancipated minor must contain photographic identification and a photocopy of the legal document declaring the client an emancipated minor.
- B. Each tattoo artist shall keep permanent records for each client for a minimum of seven years, which shall consist of the following: the name, address and telephone number of the client, the date the tattoo was applied, a photocopy of the legal document that certifies the client is at least 18 years of age or an emancipated minor, a description of the tattoo, the area of the body tattooed, a photocopy of the written aftercare instructions of the tattoo and a release form signed by the client that these records are accurate. Permanent records for each emancipated minor must

contain photographic identification and a photocopy of the legal document declaring the client an emancipated minor.

- C. No person shall body pierce or tattoo an un-emancipated minor under 18 years of age without the permission of the parent or guardian of such minor. This permission shall be signed by either parent or guardian. Photographic identification of the parent or guardian must be obtained by the body piercer or tattoo artist. A photocopy of the photographic identification shall be included in the client's permanent records.
- D. The tattoo client shall sign an informed consent waiver. A photocopy of this waiver must remain as part of the client's permanent record. The informed consent waiver shall be approved by the Department prior to the issuance of a tattoo establishment license. The informed consent waiver shall include, but is not limited to, the following information: nature of the procedure, reasonably foreseeable risks of the procedure, description of the equipment utilized in the procedure and sterilization techniques, and explanation of the tattoo removal procedure. The client shall have the opportunity to ask questions and understand the contents of the informed consent to his/her satisfaction.
- E. The body piercing client shall sign an informed consent waiver. A photocopy of this waiver must remain as part of the client's permanent record. The informed consent waiver shall be approved by the Department prior to the issuance of a body-piercing establishment license. The informed consent waiver must include, but is not limited to, the following information: nature of the procedure, reasonably foreseeable risks of the procedure, description of the equipment utilized in the procedure and sterilization techniques, sizing of the jewelry, and an explanation of the jewelry removal procedure. The client shall have the opportunity to ask questions and understand the contents of the informed consent to his/her satisfaction.
- F.
- G. H. The body piercing or tattoo establishment shall maintain written records of hepatitis B vaccination for each employed tattoo artist or other employee who may come in contact with blood borne pathogens. An employee may refuse vaccination for hepatitis B, but a signed statement attesting to his or her refusal must be part of his/her record.
- I. Employee vaccination records must be maintained for seven years per Connecticut Department of Public Health Code 19a-14-40 regarding retention of medical records. Such records are to be made available to the Department upon request. All records and signatures shall be written in ink. Such records are to be maintained separately from client records and safeguarded. Failure to maintain proper records shall result in suspension or revocation of the operating license.
- J. The technician shall collect the following information so that the technician can properly evaluate the client's medical condition before receiving a body art procedure.
- (1) Information from the client on a history of diabetes, hemophilia, skin diseases, skin lesions, skin sensitivity to soaps or disinfectants, epilepsy, seizure, fainting or narcolepsy.
  - (2) Information from the client on a history of allergies or adverse reactions to pigments, dyes, and/or latex
  - (3) Use of medication by the client such as anticoagulants, which thin the blood or interfere with blood clotting.
  - (4) The above collected information should be safeguarded in accordance with HIPAA regulations.

§ 59-6 Body-piercing procedures.

A. Skin preparation.

- (1) Only healthy, intact body parts may be body pierced.
- (2) If shaving of the skin where the piercing is to occur is required, only single-use razors shall be used. New razors for each client shall be used and disposed of after each use.
- (3) The area of skin to be pierced shall first be washed with an antibacterial soap and hot water. The skin must be prepared for not less than 45 seconds with a povidone-iodine solution prior to all piercings. A seventy-percent alcohol solution, applied for 90 seconds, may be used as an alternative for clients sensitive to povidone-iodine.
- (4) No person other than a licensed physician, dentist, or doctor of osteopathy shall employ the use of federally controlled substances, including topical, oral, parenteral or inhaled anesthetics, while providing body-piercing procedures.
- (5) All solutions applied to the skin shall be allowed to air dry.
- (6) Prior to all oral piercing, the client must rinse with an antibacterial mouthwash for at least 60 seconds.
- (7) All preparation solutions shall be applied in a sanitary manner. All cotton balls, swabs or other applicators shall be single use.
- (8) Only single-use toothpicks may be used for marking in oral piercings.
- (9) The use of styptic pencils and alum blockers is prohibited.
- (10) Medical-grade anticoagulants may be used but must first be approved by the Department.
- (11) Scarification, including, but not limited to, branding, cuttings and general scarification, other than those procedures described in the body-piercing and tattooing codes of the Stratford Health Department, is prohibited.

B. Jewelry requirements.

- (1) Jewelry to be placed in the client must be of good quality, corrosion-resistant, free of scratches or cuts and designed for use in body piercing. White or yellow gold, other than solid 14K or 18K, silver or other corrosive metal-plated jewelry is prohibited.
- (2) All jewelry shall be single-use only, and come pre-sterilized by either the manufacturer.
- (4) Jewelry worn by a person other than the client shall not be permitted to be used.

C. Body-piercing needles and equipment.

- (1) No person shall perform an ear-piercing procedure with an ear-piercing instrument unless the ear-piercing instrument utilizes a single-use stud-and-clasp ear-piercing system. Under no circumstances may an ear-piercing instrument be used on any body part other than the lobe and/or outer perimeter of the ear, excluding the tragus. Ear-piercing guns are prohibited for use.
- (2) All body-piercing needles are for single use only and shall be marked as sterile by the manufacturer.
- (3) A minimum of 25 ready-to-use sterilized and dated needles shall be provided at the body-piercing establishment at all times.
- (4) After each use, the piercing needle shall be disposed of in accordance with the regulated and infectious waste requirements of these regulations. *Editor's Note: See § 59-3K of this chapter.*
- (5)

(6) Corks, rubber bands and other items that cannot be sterilized must be kept in a sanitary manner prior to use and be single use only.

D. Body piercers' responsibilities.

(1) Prior to the body-piercing procedure, the body piercer shall wash his or her hands and any exposed areas of the arms by lathering with an antibacterial soap for at least 20 seconds, rinsing under hot water and then drying with a single-use disposable towel.

(2) Sterile technique shall be practiced throughout the body piercing procedure.

(3) Disposable, single-use, sterile examination gloves shall be worn throughout the body-piercing procedure.

(4) Gloves shall be changed if they become contaminated during the piercing.

(5) Outer garments worn by the body piercer shall be kept clean.

(6) The use of tobacco in the establishment, by either the body piercer or client, is prohibited. (7) The consumption of food or drink, by either the body piercer or client, while in the work area is prohibited. The consumption of food or drink shall be limited to areas physically removed from the work area.

(8) The body piercer shall discuss with the clients the options regarding the sizing of jewelry based on body parts and types.

(6)

F. Aftercare of the piercing.

(1) The body piercer shall explain the aftercare instructions to each client upon completion of the piercing.

(2) The body piercer shall inform clients that latex barriers are recommended whenever the client will be placing their piercing into the body or bodily fluids of another person.

§ 59-7\_Tattoo procedures.

A. Skin preparation.

(1) Only intact and healthy skin shall be tattooed.

(2) The area of the skin to be tattooed shall first be washed with an antibacterial soap and hot water.

(3) If the area where the tattoo is to be placed needs to be shaved, only safety razors with single-use blades shall be used.

(4) The area that has been shaved shall be prepared with an antibacterial soap and hot water. The area then shall be scrubbed with a sterile gauze pad treated with seventy-percent alcohol and allowed to air dry.

(5) The use of styptic pencils and alum blockers is prohibited.

(6) Any Vitamin A & Vitamin D ointment (A & D ointment) or antiseptic ointment applied to the area shaved shall be applied in a sanitary manner. A sanitary manner consists of either sterile A & D or antiseptic ointment removed from the container and applied to skin with a sterilize single-use, collapsible metal or plastic tubes.

(7) No person other than a licensed physician, dentist, or doctor of osteopathy shall employ the use of federally controlled substances, including topical, oral, parenteral or inhaled anesthetics, while providing tattooing procedures.

(8) Scarification, including, but not limited to, branding, cuttings and general scarification, other than those procedures described in the body piercing and tattooing codes of the Department, is prohibited.

B. Tattoo artist's responsibilities.

- (1) Prior to starting the tattoo, and as often thereafter as may be necessary, the tattoo artist shall wash his or her hands and any exposed areas of the arms by lathering with an antibacterial soap for at least 20 seconds, rinsing under hot water and then drying with a single-use disposable towel.
- (2) Disposable, single-use examination gloves shall be worn for any procedure involving contact with the client's skin, hair and other body tissue. The gloves shall be changed whenever necessary to prevent contamination.
- (3) The tattoo artist shall keep his or her fingernails clean.
- (4) Excessive jewelry or cosmetics that may interfere with hand washing shall not be worn by the tattoo artist.
- (5) Outer garments worn by the tattoo artist shall be clean.
- (6) The use of tobacco, by either the client or tattoo artist, while engaged in the act of tattooing is prohibited. (7) The consumption of food or drink, by either the client or tattoo artist, while engaged in the act of tattooing is prohibited. The consumption of food or drink shall be limited to areas physically removed from the tattoo work areas.

C. Dyes and stencils.

- (1) Only single-use and sterile stencils shall be used. Multiuse stencils are prohibited.
- (2) Only nontoxic, sterile dyes shall be used. Dyes and inks shall not be adulterated and shall only be used in accordance with the manufacturer's guidelines.
- (3) For each client, dyes shall be transferred to a clean, single-service container.
- (4) If excessive dye must be removed from the skin, then only single-use tissues or sterile gauze shall be used.
- (5) Any unused dye shall be discarded after each client.
- (6) A list of dyes by manufacturer shall be submitted to the Department. An MSDS for each dye manufacturer will be provided to the Department. If a new manufacturer is to be used, the tattoo establishment shall notify the Department in writing with an updated list of manufacturers.

D. Needles and attachments.

- (1) All needles and needle bars shall be single-use only.
- (2)
- (3) A minimum of 25 ready-to-use, sterilize needles shall be provided at all times on site.
- (4) Only lead-free solder shall be used in conjunction with needles and needle bars.
- (5) Needle tubes shall be single use only.
- (6) After use on each client, the needle shall be disposed of in accordance with these regulations.
- (7) All equipment used in the tattoo process shall be designed to be nontoxic, easy-to-clean, nonabsorbent and corrosion-resistant. Additionally, all equipment that comes into contact with skin?????shall be sterilize and stored in accordance with these regulations.

(6) (7)F. Aftercare of tattoo.

- (1) After completion of the tattoo, the area of skin tattooed shall be washed with a hospital-grade germicidal solution or a seventy-percent alcohol solution from a single-service container or applied with single-use applicators.
- (2) After air drying, the tattooed area shall have A&D ointment or antibacterial ointment applied using a sterile gauze. A sterile gauze shall be applied to the tattooed area and affixed with adhesive tape. Application of plastic wrap to the tattooed area is strictly prohibited.

## § 59-8\_Needle sticks.

- A. Each body-piercing or tattoo establishment shall have a written protocol for needle stick accidents. This protocol shall include, but is not limited to, treatment of the area and reporting the needle stick to the supervising physician??? for further evaluation.
- B. This written protocol shall be submitted to the Department at the time of application for the body piercing or tattoo establishment license for approval.

## § 59-9\_Violations and penalties.

- A.
- A. Suspension or revocation of the Health Department license. The Director of Health may immediately suspend or revoke the body-piercing or tattoo establishment license, or temporary establishment license of any person or business if the business or body piercer/tattoo artist has made any material misrepresentation to the Department, does not meet or no longer meets, or has a history of noncompliance with the requirements of the applicable sections of this document or of the Connecticut Public Health Code. The license holder or operator shall be immediately closed and notified in writing that the license is, , immediately suspended and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the Director of Health by the license holder within 72 hours following the service of such notice.
- B. Hearings provided for by this chapter shall be conducted by the Director of Health at a time and place designated by the Director. Hearings will be conducted within five days of receipt of a request for same. A written report of the hearing decision shall be furnished to the license holder by the Director of Health.
- C. At the discretion of the Director of Health a suspended license may be reinstated when an inspection made by the Department reveals that the conditions causing suspension of the license have been corrected. The inspection will be conducted within 10 days of a written request for license reinstatement indicating how each of the conditions, which caused the suspension, have been corrected and shall be signed by the license holder.
- D. The Director of Health may upon review of the body piercing or tattoo establishment's history of non-compliance permanently revoke the establishment's license. The establishment owner will be informed in writing of the revocation. The establishment owner may request a hearing in writing. The Director of Health will conduct the hearing within 3 business days of the request.

§ 59-10\_Conflict of regulations.

In any case where a provision of this chapter is found to be in conflict with a regulation of the Connecticut Department of Public Health or any other state law or regulation, on the effective date of this chapter, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

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