

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend and reordain Section 5-6-229.10 (PENALTIES) of Division 4 (FATS, OILS, AND GREASE (FOG), FOG MANAGEMENT), Article B (SEWAGE DISPOSAL AND DRAINS) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

## THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-6-229.10 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline and the table as follows:

## Division 4 – FATS, OILS, AND GREASE (FOG), FOG MANAGEMENT PROGRAM

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## Sec. 5-6-229.10 – Penalties

- (a) It shall be unlawful for any food service establishment to fail to comply with any provision of this division that applies to it. The owner of any such food service establishment that fails to comply with any applicable provision shall be in violation of this division.
- (b) Any violation listed in the following schedule shall subject the violator to a civil penalty in the amount of one hundred dollars (\$100.00) for an initial summons and one hundred dollars (\$100.00) for each additional summons; provided, however, that the total amount for a series of specified violations arising from the same operative set of facts shall not exceed three thousand dollars (\$3,000.00), as follows:

Violation	City Code Section
Failure to maintain cleaning and maintenance records	5-6-229.7
Failure to maintain grease disposal records	5-6-229.7
Failure to properly maintain grease control device	5-6-229.6
Failure to allow inspection of grease control device	5-6-229.8
Failure to have grease a control device or devices meeting all applicable requirements of the Virginia Uniform Statewide Building Code	5-6-229.9
Failure to make required modification or repair to grease control device	5-6-229.9

- (c) The director or designee may issue a civil summons ticket for a violation. Any

1 person summoned or issued a ticket for a violation may make an appearance in person or  
2 in writing by mail to the treasurer of the locality prior to the date fixed for trial in court.  
3 Any person appearing may enter a waiver of trial, admit liability and pay the civil penalty  
4 established for the violation.

5 (d) If a person charged with a violation does not elect to enter a waiver of trial and admit  
6 liability, the violation shall be tried in the general district court in the same manner and  
7 with the same right of appeal as provided for by law. In any such trial, the city shall have  
8 the burden of proving by a preponderance of the evidence the liability of the alleged  
9 violator.

10 (e) An admission of liability or finding of liability under this section shall not be deemed  
11 an admission at a criminal proceeding, and no civil action authorized by this section shall  
12 proceed while a criminal action is pending.

13 (f) Each day that a violation exists or persists shall constitute a separate violation of this  
14 chapter.

15 (g) The remedies provided in this section are cumulative and not exclusive. The  
16 designation of a violation of this chapter as a civil violation shall not be construed as  
17 prohibiting initiation of appropriate administrative or civil procedures pursuant to city, state,  
18 or federal law to prevent, correct, restrain, or abate violations of the chapter, including  
19 injunctive relief.

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21 Section 2. That Section 5-6-229.10 as amended pursuant to Section 1 of this  
22 ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

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24 Section 3. That this ordinance shall become effective upon the date and at the time  
25 of its final passage.

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27 ALYIA GASKINS  
28 Mayor  
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30 Introduction: 10/14/25  
31 First Reading: 10/14/25  
32 Publication:  
33 Public Hearing: 10/18/25  
34 Second Reading: 10/18/25  
35 Final Passage: 10/18/25