



CITY OF BOSTON

IN THE YEAR TWO THOUSAND EIGHT

AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR THE CLEANING OF COMMERCIAL COOKING HOOD AND VENTILATION SYSTEMS

WHEREAS, The City of Boston is increasing overall public safety, by proposing to ensure that commercial cooking hood and ventilation systems are regularly cleaned by individuals and businesses possessing the necessary experience and materials to complete the cleaning process thoroughly and safely; and,

WHEREAS, This Ordinance shall establish the following guidelines for the cleaning of hoods, grease removal devices, fans ducts, and exhausting grease laden vapors, and shall apply to all existing commercial cooking hood and ventilations systems where the City of Boston has authority; and,

WHEREAS, It is in the interest of public safety that all cleaners and inspectors be properly trained and certified to reduce life-threatening incident The City also recognizes the experienced professionals already engaged in this field and accounts for their experience via the certification method *NOW, THEREFORE*

Be it ordained by the City Council of Boston, as follows that the City of Boston Code be amended by adding the following ordinance:

AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR THE CLEANING OF COMMERCIAL COOKING HOOD AND VENTILATION SYSTEMS

(A) Purpose

The purpose of this ordinance is to establish requirements for the inspection of grease buildup and for the cleaning of hoods, grease removal devices, fans, ducts and cooking equipment by commercial contractors for said services

(B) Applicability

This Ordinance shall apply to all existing structures subject to inspection and review by the City of Boston's Inspectional Services and Fire Departments The Commissioners of the Boston Fire Department and the Inspectional Services Department may promulgate any additional rules and/or regulations under the scope of this ordinance as needed

(C) Procedures

1 Certification and Registration

- a Any person offering their services to inspect for grease buildup or to clean commercial cooking hood and ventilation systems, whether as an outside contractor or as a business providing the service to itself, shall be certified as a qualified inspector or commercial cooking hood and ventilation system cleaner respectively. Each individual of a company engaged in the cleaning or inspecting for grease buildup of commercial cooking hood and ventilation systems must obtain certification prior to engaging in cleaning or inspection services. Each company engaged in the cleaning or inspecting for grease buildup of commercial cooking hood and ventilation systems must employ enough certified technicians to maintain a minimum of one certified technician during cleaning operations at each cleaning site. For purposes of this section only, "certified" shall mean that a person has met all of the requirements of a Boston Fire Department approved certifying agency's training program and/or certification exam.
- b The Boston Fire Department shall publish a list of accepted certifying agencies. In addition to registration requirements in Section (C)(1)(c) obtaining certification from one of these agencies will meet the requirements of this ordinance. Only those individuals registered and certified as being qualified to inspect for grease buildup or to clean commercial cooking hood and ventilation systems will be authorized to perform those respective services regulated under this ordinance within the City of Boston.
- c Each individual offering to provide services within the City of Boston to inspect for grease buildup or to clean commercial cooking hood and ventilation systems shall also register with the Boston Fire Department, Fire Prevention Division upon obtaining their certification. An annual application for registration authorizing inspection and/or cleaning services within the City of Boston must be accompanied by the proof of certification, and an annual application fee of \$25.00. Upon approval of the application by the Boston Fire Department, an individual and/or company will be considered authorized to conduct cleaning and/or inspection services within the City of Boston. Registration will expire at the end of each calendar year and shall require annual renewal.
- d It is the responsibility of the individual to keep their certification active.
- e Any loss or expiration of certification must be reported to the Boston Fire Department within 5 days of loss of said certification.
- f After registration, any changes in employment, as well as other application data must be reported to the Boston Fire Department within 5 days of the change.
- g Each year the Fire Department will publish a roll of registered cleaners and inspectors on the first day of February.
- h Failure to follow the requirements of this ordinance, failure to maintain certification, failure to renew registration, or if inspecting and/or cleaning is deemed not in accordance with NFPA 96 as referenced by 527 CMR 11.00, may result in fines and/or the revocation of registration to inspect for grease buildup.

or to clean commercial cooking hood and ventilation systems within the City of Boston.

2. Inspection and Cleaning of Commercial Cooking Hood and Ventilation Systems

- A Inspection Frequency: Commercial cooking hood and ventilation systems and cooking equipment shall be inspected by a certified inspector or cleaner for grease buildup in accordance with the inspection schedule of NFPA 96 as referenced by 527 CMR 11.00.
- B Cleaning Frequency: A certified person shall clean to bare metal, hoods, grease-removal devices, fans, ducts, cooking equipment, and other appurtenances. The person to perform the actual cleaning shall be certified in the cleaning of commercial cooking hood and ventilation systems. The cleaning schedule shall be at the same interval as the inspection schedule prescribed in NFPA 96 as referenced by 527 CMR 11.00.
- C Signage: Following inspection and/or cleaning, the certified person providing such services shall place or display within the kitchen area, a label indicating the date inspected and/or cleaned, the name of the servicing company (company certification number and individual's name and certification number) and their Fire Department registration number. It shall also indicate areas not inspected and/or cleaned and the reason why the service could not be performed, and if it is scheduled to be performed at another date. The label shall be attached to the exterior of the hood in a visible location. The schedule for the inspecting and/or cleaning frequency shall be maintained on site and available for viewing upon request of Fire Department and Inspectional Services inspectors.
- D Reports: Reports associated with the inspection and/or cleaning of the hood and vent system shall be maintained on site by the business owner. These reports shall be available for viewing upon request of an inspector from the Inspectional Services or Boston Fire Departments.

3. Inspection and Cleaning for Solid-Fuel Cooking

- A Solid-fuel cooking appliances shall be inspected, cleaned and maintained in accordance with the procedures outlined in NFPA 96, Solid-Fuel Cooking Operations as referenced by 527 CMR 11.00.

- 4. Deficiency Reports: In addition to any requirements outlined in NFPA 96, as referenced by 527 CMR 11.00, if any required cleaning or inspection is incomplete or unable to be performed for any reason, the certified person providing such services shall provide a written report to the Boston Fire Department within five days of said failure to clean and/or inspect. Said report shall provide the following information: (i) the physical address at which inspection and/or cleaning were unable to occur; (ii) the name of the owner of said premises; (iii) the date on which the certified person attempted to inspect and/or clean the premise; and (iv) the specific reason why the service could not be performed pursuant to NFPA 96 standards.

(D) Penalties

- A Violation of the conditions of this ordinance whether by the proprietor of the establishment, property owner, or the hood cleaning/inspecting company shall subject the violator to a fine of two hundred (\$200 00) dollars per day payable to the Boston Fire Department. Each day of violation shall constitute a separate and distinct offense. Revenues collected from said fines shall be used to educate and train Boston Fire Department and Building Inspectors on NFPA 96.
- B Notwithstanding the above, the Commissioner of ISD, upon a determination that any violation constitutes an immediate and severe threat to the public health and safety, may order the immediate closure of any premises, without prior notice and hearing but otherwise with subsequent notice and hearing.

(E) Effective Date

The provisions of these sections shall become effective within 365 days of its passage.

In City Council MAY 14 2008

Passed

Alex Goumtas ASST. City Clerk

Approved

Thomas R. Menino Mayor