

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD, MPH, MBA, MSW
Commissioner

July 15, 2010

**SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
GENERAL GUIDANCE MEMORANDUM #24
PROCEDURES OF OFFICE OF WASTEWATER MANAGEMENT
FOR SEATING IN TAKE-OUT AND FULL SERVICE FOOD ESTABLISHMENTS**

AUTHORITY

The Suffolk County Sanitary Code sets forth requirements for approval of water supply and sewage disposal systems. The statutory authority for these guidelines can be found in Article 5, Section 760-502, Article 6 Section 760-602, 603, and Article 7 Section 760-705A. Detailed specifications can be found in Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences, also known as Commercial Standards.

PURPOSE

The Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences addresses outdoor seating at full service restaurants but presently does not address outdoor seating at take-out establishments. This memorandum clarifies the number of indoor and outdoor seats permitted and how to calculate the proposed sewage flow from outdoor seats at a take-out establishment. This document also provides guidance on calculating the flow from a full service establishment that has less than 16 seats.

GUIDANCE

A take-out establishment is currently entitled to have a maximum of 16 indoor seats provided the seating is single-service only (i.e. disposable dishes and plastic utensils only). Since an outdoor seat at a restaurant is calculated at half the sanitary and hydraulic flow of a full service indoor seat, a take-out establishment may be entitled to either a maximum of 16 indoor seats or 32 outdoor seats, provided seating remains single service. The seating at a take-out establishment may also be apportioned to any equivalent combination of indoor and outdoor seats, where two outdoor seats are the same as one indoor seat (i.e. 8 indoor and 16 outdoor, 12 indoor and 8 outdoor, etc.). The establishment will still be classified as a take-out establishment at a flow rate of 0.15 gpd/sf (0.03 gpd/sf sanitary and 0.12 gpd/sf kitchen flow). Once a take-out establishment exceeds 16 indoor seats (or an equivalent combination) or converts to full service, it is considered a restaurant and will be calculated as such.

If an establishment has non-disposable dishes and flatware, it will be considered full service regardless of the number of seats. However, the minimum flow for a full service restaurant shall be based on 16 indoor seats (or an equivalent combination of indoor/outdoor seats) which equates to 480 gpd (160 gpd sanitary and 320 gpd kitchen flow).

Seating that is on a current valid Food Permit may NOT be transferred from interior to exterior. The establishment is bound by the current permit, unless the permit is modified.

An establishment which has been out of business for a period of 2 years or longer must have a sanitary system that complies with current standards or an upgrade will be required.

EFFECTIVE

This document is for guidance purposes only and becomes effective for all applications received after the date of this memorandum. This document should apply in most cases, but it is not a standard and is not meant to substitute for the discretion and common sense of the review staff.

A handwritten signature in black ink, consisting of a stylized 'W.' followed by a more complex, cursive signature.

Issued by:

Walter J. Hilbert, PE, Chief
Office of Wastewater Management