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Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

County
~~CITY~~ **LIVINGSTON**
~~TOWN~~ of
~~VILLAGE~~
Local Law No. **4** of the year 19 **72**

A local law **REGULATING THE USE OF PUBLIC SEWERS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE CONESUS LAKE COUNTY SEWER DISTRICT, COUNTY OF LIVINGSTON, STATE OF NEW YORK**

Be it enacted by the **BOARD OF SUPERVISORS** of the
(Name of Legislative Body)

County
~~CITY~~ **LIVINGSTON**
~~TOWN~~ of as follows:
~~VILLAGE~~
SEE ATTACHED SHEETS

LOCAL LAW NO. 4, 1972 COUNTY OF LIVINGSTON, REGULATING THE USE OF PUBLIC SEWERS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE CONESUS LAKE COUNTY SEWER DISTRICT, COUNTY OF LIVINGSTON, STATE OF NEW YORK.

BE IT ENACTED by the Board of Supervisors of the County of Livingston as follows:

ARTICLE I
Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this sewer use law shall be as follows:

1. "Board of Managers" shall mean the Board of Managers of the Conesus Lake County Sewer District.
 2. "BOD (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in milligrams per liter.
 3. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.
 4. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
 5. "Camp Site" a tract of land which is arranged, intended and equipped, as a camp site for mobile homes, travel campers, recreational vehicles, and/or non-vehicular camping of a transient or seasonal nature.
 6. "District" shall mean Conesus Lake County Sewer District.
 7. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
 8. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
 9. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
 10. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
 11. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
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12. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
13. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by the District.
14. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.
15. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.
16. "Sewage Treatment Plant" shall mean the arrangement of devices and structures used for treating sewage.
17. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
18. "Sewer" shall mean a pipe or conduit for carrying sewage.
19. "Shall" is mandatory: "May" is permissive.
20. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four hour concentration or flows during normal operation.
21. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
22. "Superintendent" shall mean the Superintendent of Sewage Works of the District, or his authorized deputy, agent, or representative.
23. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
24. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II
Use of Public Sewers Required

1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the District, or in any area under the jurisdiction of said District, any human excrement, garbage or other objectionable waste.
2. It shall be unlawful to discharge to any natural outlet within the District, or in any area under the jurisdiction of said District, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the district and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the district, is hereby required at his expense to construct and connect a building sewer directly with the proper public sewer in accordance with the provisions of this Local Law within sixty (60) days after date of official notice to do so. A person required to connect to the sewer system, and who has been notified to make such connection as provided above, may make application for a deferment of the time within which connection is required herein for good causes shown. Such deferment may be granted upon such terms and conditions as may be imposed, consistent with the purposes of this Local Law, for a period not to exceed ten calendar months computed from the date upon which such extension is granted.
5. Where a mobile home site or camp site is equipped with an outlet for supplying water, such site shall be equipped with a sewer connection.

ARTICLE III
Building Sewers and Connections

1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.
2. The owner of a building or his agent shall make application to the District for a connection on a special form furnished by the District. The permit application shall be supplemented by plans, specifications, or other information considered pertinent in the judgement of the Superintendent. A permit and inspection fee of Three Dollars for each sewer permit shall be paid at the time the application is filed.
3. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
4. A separate and independent building sewer shall be provided for every building except where one building stands at the rear of another on the same property, the building sewer from the front building may be extended to the rear building.
5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Local Law.
6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavation, placing of the pipe, jointing, venting, testing, and backfilling the trench, shall conform to the requirements of the building and plumbing code of any governmental unit having jurisdiction and/or regulations of the District. All building sewers shall be laid to uniform grade and in straight alignment insofar as possible and changes in direction shall be made only with properly curved pipe fittings. The depth of the sewer shall be sufficient to afford protection from frost and shall be surrounded by sand or select earth compacted to at least one foot above the pipe. All joints and connections shall be made watertight.
7. For building sewers where the flow is by gravity, the inside diameter of the building sewer shall be a minimum of four inches and the slope of the pipe shall be not less than one-quarter inch per foot except where unusual circumstances establish a hardship in the opinion of the Superintendent. Gravity building sewers shall be extra heavy cast iron soil pipe, cement asbestos pipe (Class 2400), extra strength vitrified clay pipe with compression joints, or plastic pipe approved by the Superintendent and the Board of Managers.

8. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer through a pressure building sewer. Pressure building sewer size shall be determined taking into consideration pumping rate, lift, length, and the recommendations of the pump manufacturer, and shall be subject to approval by the Superintendent, but in no case shall have an inside diameter less than 1-1/2 inches. The owner shall, at the request of the Superintendent, furnish engineering data to support the pipe size selection. Pressure building sewers shall be galvanized nickel copper alloy steel pipe or plastic pipe approved by the Superintendent and the Board of Managers. All elements of a pressure system shall be installed in such a manner as to offer protection from freezing. Such installation shall be subject to inspection and approval by the Superintendent.
9. Where cement asbestos (Class 2400), extra strength vitrified clay, or plastic pipe is used it shall be encased in a galvanized steel or other appropriate sleeve where it passes through the building wall. The sleeve shall extend a minimum of three feet from the building and shall be sealed against leakage of water into the building.
10. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
11. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent.
12. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Pavement, sidewalks, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Superintendent and the owner of the property involved.
13. The building sewer connection shall be a direct connection to the public sanitary sewer. Any septic tanks, cesspools, or other private sewage disposal facilities shall be abandoned, cleaned out of sludge, and completely filled with bank-run gravel.

ARTICLE IV
Use of the Public Sewers

1. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.
2. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers, or to any watercourse:
 - a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - b. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly, or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans, animals, or fish, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two mg/l as cyanide in the wastes as discharged to the public sewer.
 - c. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
 - d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.
3. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving waters, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- a. Any liquid or vapor having a temperature higher than 150°F.
- b. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F.
- c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the Superintendent.
- d. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- e. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
- f. Any waters or wastes containing phenols or other taste or odor-producing substances in such concentrations exceeding limits which may be established by the Superintendent as necessary after treatment of the composite sewage to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- g. Any radio-active wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- h. Any waters or wastes having a pH in excess of 9.5.
- i. Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids or of dissolved solids such as, but not limited to, sodium sulfate.
 - (2) Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.
 - (3) Unusual BOD (BOD concentration greater than 250 mg/l), chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow or concentration of wastes constituting "slug" as defined herein.

- j. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
4. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which, in the judgement of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:
 - a. Reject the wastes.
 - b. Require pretreatment to an acceptable condition for discharge to the public sewers.
 - c. Require control over the quantities and rates of discharge, and/or
 - d. Require payment to cover the added cost of handling and treating the wastes not covered by regular sewer charges.

If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plans and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, ordinances, and laws.

5. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily accessible for cleaning and inspection.
6. Nonresidential users without metered public water supply will be required to install and maintain a water meter on their water supply. The water meter installation shall be subject to approval by and accessible to the Superintendent.
7. Where preliminary treatment or flow-equalizing facilities are provided for waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Revised June 1978

CLCSD

8. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.
9. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of, "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four hour composite of all outfalls of a premise is appropriate, or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four hour composites of all outfalls whereas pH's are determined from periodic grab samples.)
10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefor, by the industrial concern.

ARTICLE V

Protection from Damage

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works.

ARTICLE VI
Powers and Authority of Inspectors

1. The Superintendent and any other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this local law. The superintendent or his representatives shall have no authority to inquire into any processes beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
2. The Superintendent and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VII
Penalties

1. Any person found to be violating any provision of this local law shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
2. Any person who shall continue any violation beyond the time limit provided for in the notice shall be guilty of a violation, and on conviction thereof shall be fined in the amount not exceeding One Hundred Dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
3. Any person violating any of the provisions of this ordinance shall become liable to the District for any expense, loss, or damage occasioned by the District by reason of such violation.

ARTICLE VIII
Validity

1. All ordinances or parts of ordinances, all local laws or parts of local laws in conflict herewith are hereby repealed.
2. The invalidity of any section, clause, sentence or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part or parts.

ARTICLE IX
Effective date

1. This local law shall take effect on the 15th day of December, 1972.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

(Final adoption by local legislative body only.)

1. I hereby certify that the local law annexed hereto, designated as local law No.~~4~~..... of 19..~~72~~.

County
City
of the ~~Town~~ of **LIVINGSTON**..... was duly passed by **BOARD OF SUPERVISORS**.....
~~Village~~ (Name of Legislative Body)
on ~~December 11,~~..... 19..~~72~~ in accordance with the applicable provisions of law.

(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.)

2. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County
City
of the Town of..... was duly passed by.....
Village (Name of Legislative Body)
on..... 19..... not disapproved
and was approved by the.....
repassed after disapproval Elective Chief Executive Officer
and was deemed duly adopted on..... 19....., in accordance with the applicable provisions of law.

(Final adoption by referendum.)

3. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County
City
of the Town of..... was duly passed by the.....
Village (Name of Legislative Body)
on..... 19..... not disapproved
and was approved by the.....
repassed after disapproval Elective Chief Executive Officer
on..... 19..... Such local law was submitted to the people by reason of a
mandatory referendum and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on..... 19....., in accordance with the appli-
annual
cable provisions of law.

(Subject to permissive referendum and final adoption because no valid petition filed requesting referendum.)

4. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County
City
of the Town of..... was duly passed by the..... on
Village (Name of Legislative Body)
..... 19..... not disapproved
and was approved by the..... on
repassed after disapproval Elective Chief Executive Officer
..... 19..... Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19....., in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or if there be none the chairman of the board of supervisors, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

(City local law concerning Charter revision proposed by petition.)

5. I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on the general 19 became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

James Fitz Gerald
Clerk of the Board of Supervisors, City, Town or Village Clerk or Officer designated by Local Legislative Body

Date: **December 11, 1972**

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF **LIVINGSTON**.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

.....
(Title of Officer)
County
~~XXXX~~ of **LIVINGSTON**
~~XXXX~~
~~XXXX~~

Dated: **December 11, 1972**