

LOCAL LAW OF THE YEAR 1987

**A Local Law Regulating the
Use of Public and Private
Sewers**

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BARTON & LOGUIDICE

TOWN OF HASTINGS COUNTY OF OSWEGO STATE
OF NEW YORK

Adopted by Town Board
February 10, 1987

Amended
June 12, 2012

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Amended
May 10, 2022

A LOCAL LAW REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS/ PRIVATE SEWAGE DISPOSAL, INSTALLATION AND CONNECTION OF BUILDING LATERALS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM: AND PROVIDING PENALTIES FOR VIOLATION THEREOF: IN THE TOWN OF HASTINGS, COUNTY OF OSWEGO, STATE OF NEW YORK.

ARTICLE I SHORT TITLE

Sec. 101. This law shall be known as the 1987 Sewer Use Law of the Town of Hastings, New York.

ARTICLE II DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the words, terms and phrases used in the Chapter shall be as follows:

Sec. 201. "A.S.T.M." shall mean American Society for Testing and Materials.

Sec. 202. "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 (5) days at twenty degrees Centigrade (20'C), expressed in milligrams per liter.

Sec. 203, "Builder" shall mean any person, persons or corporation who undertakes to construct, either under contract or for resale, any habitable building.

Sec. 204. "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 three (3) feet {,92 meters) outside the inner face of the building wall.

Sec. 205. "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, and shall be the responsibility of the building owner.

,Sec. 206. "Combined sewer" shall mean a sewer intended to receive both surface runoff and sewage.

Sec. 207. "Contractor" shall mean any person, firm or corporation approved by the Town Board to do work on the sewerage system in the Town.

- Sec. 208. "Developer" shall mean any person, persons, or corporation who undertakes to construct simultaneously more than one housing unit on a given tract or land subdivision.
- Sec. 209. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- Sec. 210. "Engineer" shall mean the Professional Engineer retained as Engineer for the Town of Hastings.
- Sec. 211. "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.
- Sec. 212. "Industrial wastes" shall mean the liquid wastes from industrial manufacturing processes, as distinct from sanitary sewage.
- Sec. 213. "Inspector" shall mean the Town's building inspector or his authorized deputy, agent or representative.
- Sec. 214. "Natural outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- Sec. 215. "NYSDEC" shall mean New York State Department of Environmental Conservation or duly authorized official of said Department.
- Sec. 216. "N.Y.S.D.O.T." shall mean New York State Department of Transportation.
- Sec. 217. "O&M" shall mean operation and maintenance of the sewerage works.
- Sec. 218. "Owner" shall mean any individual, firm, company, association, corporation, society, person or group having title to real property.
- Sec. 219. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- Sec. 220. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Sec. 221. "Plumber" shall mean that person, persons, firm or corporation performing work under this local law who actually installs the plumbing system.
- Sec. 222. "POTW Treatment Plant" shall mean that portion on the municipal system which is designed to provide

treatment (including recycling and reclamation) of wastes received by the municipal system, shall be the treatment facilities of the Town of Hastings.

- Sec. 223. "Pretreatment" shall mean the reduction of the amount of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 CFR 403.6 General Pretreatment Regulations for Existing and New Sources of Pollution and any amendments thereto.
- Sec. 224. "Private sewage disposal system" shall mean a privately owned system for the treatment and ultimate disposal of wastewater such as a septic tank, holding tank or other system.
- Sec. 225. "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 (1/2) inch (1.27 Centimeters) in any dimension.
- Sec. 226. "Property Line" shall mean the edge of a sewer right-of-way or street right-of-way in those instances where the building sewer connects to the public sewer in a right-of-way.
- Sec. 227. "Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- Sec. 228. "Publicly Owned Treatment Works (POTW)" shall mean a treatment works as defined by Section 212 of the Act (33 USC 1292). Includes any sewers that convey wastewater to the POTW but does not include pipes, sewers or other conveyances not connected to a facility providing treatment.
- Sec. 229. "Residential User" shall mean all premises used only for human residency and which is connected to the wastewater facilities.
- Sec. 230. "Sanitary sewer" shall mean a sewer which carries sewage from residences, commercial buildings and industries, and to which storm, surface and groundwaters are not intentionally admitted.
- Sec. 231. "Sanitary Wastewater" is domestic wastewater with storm and surface water excluded and includes wastewater discharging from the sanitary conveniences

of dwellings (including apartment houses and hotels), office buildings, industrial plants or institutions.

- Sec. 232. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.
- Sec. 233. "Sewage treatment plant" shall mean any arrangement of devices and structures used for treating sewage.
- Sec. 234. "Sewer" shall mean a pipe or conduit for carrying sewage.
- Sec. 235. "Sewerage works" shall mean all facilities for collecting, pumping, treating and disposing of sewage with the exception of private sewage disposal systems.
- Sec. 236. "Shall" is mandatory; "May" is permissive.
- Sec. 237. "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 (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- Sec. 238. "SPDES Discharge Permit" shall mean the State Pollutant Discharge Elimination System Discharge Permit issued by New York State Department of Environmental Conservation.
- Sec. 239. "Storm sewer" or "Storm drain" shall mean a pipe or conduit which carries storm and surface waters and drainage, but excludes sewage and industrial wastes.
- Sec. 240. "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 removed by laboratory filtering.
- Sec. 241. "Town" shall mean the Town of Hastings, New York.
- Sec. 242. "Town Board" shall mean the duly elected Town Board of the Town of Hastings or its authorized deputy, agent, or representative.
- Sec. 243. "Unpolluted water or waste" shall mean any water or waste containing none of the following: free or emulsified grease, or oil; acid or alkali; phenols, or other substances imparting taste or odor in receiving waters; toxic or poisonous substances in suspension, colloidal state, or solution; and noxious or odorous gases. It shall contain not more than 10,000 milligrams per liter of dissolved solids, of which not more than 2500 milligrams per liter shall be as

chloride with permissible volumes subject to review by the inspector, and not more than ten milligrams per liter each of suspended solids and BOD, The color shall not exceed fifty milligrams per liter.

- Sec. 244. "USEPA" shall mean United States Environmental Protection Agency or duly authorized official of said Agency.
- Sec. 245. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, source water and storm water than may be present.
- Sect. 246. "Watercourse" shall mean any natural or man-made channel in which a flow of water occurs, either continuously or intermittently.
- Sec. 247. "WPCF" shall mean Water Pollution Control Federation.

ARTICLE III USE OF PUBLIC SEWERS REQUIRED

- Sec. 301. 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 Town, or in any area under the jurisdiction of the Town, any human or animal excrement, garbage or other objectionable waste. This Section shall not include the land application of animal excrement in the normal course of garden operation or farming.
- Sec. 302. It shall be unlawful to discharge to any natural outlet within the Town, or in any area under the jurisdiction of the Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this local law.
- Sec. 303. 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 in the Town.
- Sec. 304. The Owner of each house, building or property used for human occupancy, employment, recreation or other purposes, situated within a sewer district of the Town and abutting on any street, alley, or right-of-way in which there is located a public sanitary sewer system of the Town, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public

sewer in accordance with the provisions of this local law, within one (1) year after the date of official notice to do so? provided that said public sewer is within one hundred seventy-five (175) feet (53.3 meters) of the structure to be served, unless otherwise granted an exemption by resolution of the Town Board. New houses or buildings falling within the conditions listed in this Section shall be required to connect such facilities directly with the proper public sewer in accordance with the provisions of this local law prior to occupancy.

- Sec. 305. After the Owners of properties within any sewer district have connected their facilities to the public sewer system, they shall cause their abandoned septic tanks to be cleaned and either filled in with suitable material or removed from the site.

ARTICLE IV PRIVATE SEWAGE DISPOSAL

- Sec. 401. Where a public sanitary sewer is not available under the provisions of Section 304, the building shall be connected to a private sewage disposal system complying with the requirements of the Oswego County Department of Health; the New York State Department of Health, and/or the New York State Department of Environmental Conservation.

- Sec. 402. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 304, a direct connection shall be made to the public sewer in compliance with this local law, and any septic tanks, cesspools and similar sewage disposal facilities, shall be abandoned and filled with suitable backfill material or removed from the site.

- Sec, 403. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the authorized representatives of the Oswego County Department of Health and/or the New York State Department of Enviromental Conservation.

ARTICLE V SEWER PERMITS, BUILDING SEWERS AND CONNECTIONS

- Sec. 501. 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 Inspector.

- Sec. 502. There shall be two (2) classes of building sewer permits:

Class 1 - For service to residential, commercial or other establishments discharging sanitary wastewater only, and

Class 2 - For service to industrial, institutional and educational establishments and all other establishments not specifically included in Class 1 above.

In either case, the Owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Inspector. A permit and inspection fee of Fifty Dollars (\$50.00) for Class 1 buildings and One Hundred Dollars (\$100.00) for Class 2 buildings shall be paid to the Town at the time the application is filed. The Class 1 permit shall have an indefinite term unless terminated in accordance with other provisions of this Law. The Class 2 permit shall have a term of three (3) years.

- Sec. 503. A sewer permit's terms and conditions shall be subject to modification and change by the Town allowing one hundred twenty (120) days for notification and compliance with new permit terms and conditions.
- Sec. 504. A Class 2 sewer permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation. An industrial type discharger shall apply for a permit modification if production or process is changed so that the wastewater characteristics or flow is altered.
- Sec. 505. Industrial type permits shall require information concerning volume, constituents and characteristics of wastewater, flow rates, each product produced by type, amount and rate of production, and description of activities, facilities and plant processes on the premises including all materials processed and types of materials which are or could be discharged.
- Sec. 506. Sewer permits may contain specifications for monitoring programs to include sampling locations, frequency of sampling, number, types and standards for tests, and reporting schedules.
- Sec. 507. Sewer permits shall be uniformly enforced by the Town in accordance with this Law and applicable State and Federal regulations. Permits shall be subject to all provisions of this Law, sewer rents and fee schedules and other applicable regulations.
- Sec. 508. A separate and independent building sewer shall be provided for every building; however, where one building stands at the rear of another or on an interior lot and no public sewer is available or can be

constructed to the rear building through an adjoining public alley, yard, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Where building sewers are to serve multiple dwelling structures there shall be provided at least one (1) separate building sewer for each group of four (4) living units.

Sec. 509. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the Owner (s). The Owner shall be assessed the cost of the Town's Sanitary Sewer Term Contractor to install the sewer main connection and lateral to the road right-of-way boundary. This cost shall be determined at the time of the Sanitary Sewer Term Contractor public bid. The Owner(s) shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 510. Existing building sewers may be used in connection with new buildings only when they are found on examination and test by the Inspector to meet all requirements of this local law.

Sec. 511. Certain houses will be served, individually or in groups, by grinder pump systems provided by the Town. User(s) will be responsible for the cost of constructing his (their) building sewer(s). All provisions of Article VII are applicable to discharge to grinder pump systems.

Sec. 512. Except where cast iron is specifically required, the building sewer may be either of the following two types of pipe:

Service class Cast Iron Soil Pipe conforming to the requirements of ASTM 74-75. Joints shall be hub and spigot type with preformed rubber gaskets conforming to Specification HSN of the Cast Iron Soil Pipe Institute.

Rigid Polyvinyl Chloride (PVC), plastic pipe which shall meet the requirements of ASTM 3034-74-SDR-35. Pipes shall have an integral bell and pipe and fittings shall be jointed with a solid rubber ring. Joints shall be tight and waterproof.

A cleanout shall be provided on all building drains near the point where it leaves the building. An additional cleanout shall be installed for each 100 feet of building sewer which is required to connect to the public sewer. A cleanout shall also be provided for each change of direction of 90 degrees or more. Such cleanouts shall be extended to grade and constructed in such manner as to allow ready access of a sewer rod for

cleaning. Cleanouts shall not be less than 4 inches in size and no bend sharper than a 1/8 bend (45*) shall be used for a change in direction.

- Sec. 513. The size and slope of the building sewer shall be subject to the approval of the Inspector. The diameter shall not be less than four (4) inches. Wherever possible the minimum slope shall be 1/4" per foot. Where necessary, a minimum slope of 1/8" per foot will be allowed; however, under such conditions, consideration should be given for use of 6" diameter pipe.
- Sec. 514. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to and within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment, insofar as possible. Changes in direction shall be made only with properly curved pipe cleanout and fittings. The ends of the building sewers which are not connected to the building drain of the structure for any reason, shall be sealed against infiltration by a suitable stopper, plug or other approved means.
- Sec. 515. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sewage or industrial wastes carried by such drain shall be lifted by approved mechanical means at the building owner's cost, and discharged to the building sewer.
- Sec. 516. 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. Property sales shall be contingent on inspection of potential illicit building connections previously described by the Town Code Enforcement Officer or designee.
- Sec. 517. The connection of the building sewer into the public sewer shall be completed by the applicable district. For gravity sewers, the district will install a gravity lateral from the sewer main to the road right-of-way boundary. For low pressure sewers, the district will install a low-pressure lateral and lateral kit (shutoff valve and check valve assembly) to the road right-of-way.
- Sec. 518. The connection from a gas station or car wash shall provide for a settlement pit, so that sand and grit

that may develop from the washing of motor vehicles or thawing of ice and snow, will not be allowed to enter into the sewage disposal system. Discharge of said waters into the sanitary sewer will be made only upon approval of the Town.

- Sec. 519. Trenches should be wide enough so as to permit proper installation and inspection of the pipe. Where foundation conditions are suitable, if care is taken to gauge the depth of the trench, it shall be dug as close as possible to the desired level so as to allow the pipe to rest on undisturbed soil. Should an unstable condition be found, or if the trench is in rock, it shall be overexcavated by as much as four to six inches, and a bed of crushed stone placed on which to lay the pipe.

After placement of the pipe and following inspection and approval by the Inspector, the trench may be backfilled. Clean sand or fine gravel shall first be placed to a depth of 6" above the crown of the pipe. Following this, the material excavated from the trench may be used for the remainder of the backfill.

- Sec. 520. The applicant for the building sewer permit shall notify the Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Inspector or his representative. At least a 48-hour notice shall be given to the Inspector.

When trenches are opened for the laying of building sewer pipes, such trenches shall be inspected by the Inspector before the trenches are filled; and the person performing such work shall notify the Inspector when the installation of the building sewer is completed. The filling of a trench before inspection is made will subject the person to whom a permit is issued to a penalty of \$250.00 for each offense, and shall also bear the cost of reopening the trench for inspection.

- Sec. 521. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

- Sec. 522. Town Sanitary Sewer Term Contractor - The Town shall periodically hold a public bid to contract with a responsible contractor to complete the sewer main connection work as defined in Sec. 517. Additional sanitary sewer work such as routine or emergency maintenance and repairs may be added to the bid at the

discretion of the Town Board. The public bid shall be held in accordance with the Town's local bidding laws.

ARTICLE VI

SEWER EXTENSIONS

Sec. 601. All extensions to the sanitary sewer system owned and maintained by the Town shall be properly designed in accordance with and in strict conformance with all requirements of the New York State Department of Environmental Conservation. Plans and specifications for sewer extensions shall be submitted to, and approval obtained from, the Engineer and the New York State Department of Environmental Conservation before construction may proceed. The design of sewers must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area. Nothing herein shall supercede the requirements of the Town of Hastings Subdivision Regulations and/or Zoning Ordinance.

Sec. 602. Sewer extensions, including individual building sewers from public sewer to the property line may be constructed by the Town under public contract if, in the opinion of the Town Board, the number of properties to be served by such extension warrants its cost. Under this arrangement, the property owner shall pay for and install the building sewer from the property line to his residence or place of business in accordance with the requirements of Article V. Property owners may propose sewer extensions within the Town in accordance with the Town Law, and as it may be amended. The cost of such extensions may be assessed to the benefited property owners in any manner determined by the Town Board in accordance with the Town Law.

Sec. 603. If the Town does not elect to construct a sewer extension under public contract, the property owner, builder or developer (hereinafter called the Applicant) may construct the necessary sewer extension, upon application and approval by the Engineer in accordance with the requirements of Section 601. All expenses related to the cost of design and construction shall be borne by the Applicant. Each building sewer must be installed and inspected as previously required. Design of sewers shall be as specified in Section 604. The installation of the sewer extension is subject to inspection and approval by the Engineer,

The Engineer's decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the exfiltration test required in Section 605 before it is to be used.

The cost of sewer extension thus made shall be absorbed by the developers or the property owners, including all building sewers.

- Sec. 604. Sewer design shall be in accordance with the following provisions. Pipe material shall be either polyvinyl chloride (PVC) conforming to ASTM D3034 - Class SDR35 or conforming to ASTM F789; or reinforced concrete conforming to ASTM Specification C-76. No standard strength clay pipe or nonreinforced concrete pipe shall be used. Minimum internal pipe diameter shall be eight (8) inches. Joints for each kind of pipe shall be designed and manufactured such that "O" ring gaskets of the "snap-in" type are employed. Gaskets shall be continuous, solid natural or synthetic rubber and shall provide a positive compression seal in the assembled joint such that the requirements of Section 605 are met. Joint preparation and assembly shall be in accordance with the manufacturer's recommendations. Wye branch fittings shall be installed for connection to building sewers in accordance with Section 503. Trench widths as measured just above the crown of the pipe shall not exceed the following:

| <u>Pipe Diameter</u> | <u>Trench Width</u> |
|----------------------|---------------------|
| 8" | 3' - 3" |
| 10" | 3' - 6" |
| 12" | 3' - 9" |
| 15" | 4' - 0" |

If the trench widths are found during field inspection to exceed the limits in the above table, the sewer pipe shall be encased with a minimum of 6-inches of concrete. Pipe shall be firmly and evenly bedded on a minimum of 6-inches of #1A or #1 or #2 crushed stone (NYSDOT Specifications). Pipe thickness and field strength shall be calculated on the following criteria:

| | |
|----------------|-----------------|
| Safety Factor | 1.5 |
| Load Factor | 1.5 |
| Weight of Soil | 120 lbs./cu.ft. |
| Wheel Loading | 16,000 lbs. |

Utilizing the above information, design shall then be made as outlined in Chapter IX of the Water Pollution Control Federation Manual of Practice No. 9, "Design and Construction of Sanitary and Storm Sewers" or any revision thereof.

Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding 400 linear feet. The manholes shall be constructed with a poured 3,000 psi concrete base 6-inches thick, steel troweled concrete or mortar bench walls and inverts, and precast 4-foot diameter concrete manhole barrel

sections with concentric tapered top section, as specified by ASTM C-478. The manhole frame and cover shall be the standard design of the Town and shall be set with no less than two courses of brick underneath to allow for later adjustment in elevation. All joints shall be sealed against infiltration. Manholes shall be constructed with manhole steps. As an alternative, precast concrete manhole bases shall be allowed as well as precast concrete trim rings under manhole frames/covers.

Sec. 605. All sewers shall satisfy requirements of a final exfiltration test before they will be approved and sewage flow accepted from them by the Town. This test consists of filling the pipe with water to provide a head of at least five (5) feet above the top of the pipe in the upstream manhole, or five (5) feet above groundwater, whichever is higher, at the highest point of the pipeline under test, and then measuring the loss of water from the line by the amount which must be added to maintain the original level. In this test, the line must remain filled with water for at least twenty-four (24) hours prior to the taking of measurements. Exfiltration shall be measured by the drop of water level in a standpipe with closed bottom end, or in one of the sewer manholes available for convenient measuring.

When a standpipe and plug arrangement is used in the upper manhole of a line under test, there must be some positive method of releasing entrapped air in the sewer prior to taking measurements. The test length intervals for either type of test shall be as ordered or approved but in no event shall they exceed 1,000 feet. In the case of sewers laid on steep grades, the length of line to be tested by exfiltration at any one time may be limited by the maximum allowable internal pressure on the pipe and joints at the lower end of the line. The test period wherein the measurements are taken, shall not be less than two (2) hours in either type of test.

The total leakage of any section tested shall not exceed the rate of 100 gallons per mile of pipe per 24 hours per inch of nominal pipe diameter. For purposes of determining the maximum allowable leakage, manholes shall be considered as sections of 48-inch diameter pipe, five (5) feet long. The equivalent leakage allowance shall be 4.5 gallons per manhole per 24 hours, for 48-inch diameter manholes. If leakage exceeds the specified amount, the necessary repairs or replacements required shall be made to permanently reduce the leakage to within the specified limit, and the tests shall be repeated until the leakage requirement is met. Low pressure air tests may be

used upon the Engineer's approval in lieu of exfiltration tests.

Sec. 606. In addition to the requirements as set forth in the Subdivision Regulations of the Town of Hastings for the acceptance of subdivision improvements, the following conditions shall also apply for the acceptance of sanitary sewers.

Upon completion of the work, the applicant shall prepare and submit to the Engineer one reproducible copy of "As-built" drawings showing final rim and invert elevations, final station of all manholes, physical ties to manholes, location and length to the property line of all wyes and any other necessary information for the proper maintenance and operation of the system.

The applicant shall tender to the Town Attorney the originals of all deeds and easements, along with any necessary subordination or other agreements so as to convey an unencumbered interest in the proposed sewer right-of-way areas if any to the Town of Hastings, properly signed and acknowledged in recordable form; and a signed real property transfer gains tax affidavit (Form TP-584 or acceptable substitute). The dedicator shall also provide, at dedicator's expense, either a policy of title insurance

naming the Town of Hastings or an attorney's certificate of title certified to the Town of Hastings covering the property interests conveyed, current to the date of recording of the deed and/or easement. Dedicator shall pay all recording fees.

The prospective dedicator shall provide a Maintenance Bond for the value of the completed sewer construction in the amount fixed by resolution of the Town Board. This bond shall be conditioned for the faithful performance by the dedicator of any repairs needed to correct or replace any and all damage to said sewer for a period of one year from the date of acceptance.

ARTICLE VII USE OF THE PUBLIC SEWERS

Sec. 701. No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer.

Sec. 702. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet

approved by the Inspector and other regulatory agencies. The discharge of unpolluted industrial cooling water or process waters requires a NYSDEC SPDES permit and is subject to Federal and State regulations.

Sec. 703. Except as hereinafter provided, no person shall discharge or cause to be discharged, any of the following described waters or wastes to any public sewer:

Any water or wastes with heat in amounts which will inhibit biological activity in the sewage treatment plant resulting in interference. In no case shall the temperature of the liquid or vapor exceed 65°C (150°F) or be discharged in quantities such that the temperature at the sewage treatment plant influent exceeds 40°C (104°F) unless the plant is designed to accommodate such heat.

Any waters or wastes which contain grease or oil or other substance that will solidify or become discernibly viscous at temperatures between 32 and 150 degrees Fahrenheit.

Any waters or wastes containing fats, wax, grease or oils, whether emulsified or not, exceeding an average of 50 milligrams/liter (417 pounds per million gallons) or other soluble matter.

Any gasoline, benzine, naptha, fuel oil or mineral oil, or other flammable or explosive liquid, solid or gas.

Any noxious or malodorous gas such as hydrogen sulfide, sulfur dioxide or nitrous oxide, or other substance which either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or or preventing entry into sewers for their maintenance and repair.

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 be subject to the review and approval of the Inspector.

Any ashes, cinder, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, cardboard, wood, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, beer or distillery slops, whey, chemical residues, paint residues, cannery waste, bulk solids or any other solid or viscous substance, capable of causing obstruction to the flow of the sewers, or other interference with the proper operation of the sewage works.

Any waters or wastes, acid and alkaline in reaction, having corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works. Free acids and alkalies must be neutralized, at all times, within a permissible pH range of 6.0 to 9.5.

- (i) Any cyanides, in excess of 0.3 milligrams per liter by weight as CN.
- (j) Radioactive wastes that do not comply with Federal or State regulations.
- (k) Any waters or wastes that for a duration of 15 minutes has a concentration greater than 5 times that of "normal" sewage as measured by Suspended Solids and B.O.D. and/or which is discharged continuously at a rate exceeding 1,000 gallons per minute except by special permit. Normal sewage shall be defined as falling within the following ranges:

| <u>Constituents</u> | <u>Permissible Range</u> |
|-----------------------|--------------------------|
| Suspended Solids | 180 to 350 mg/l |
| B.O.D. | 140 to 300 mg/l |
| Chlorine Requirements | 5 to 15 mg/l |

- (l) Any storm water, roof drains, spring water, cistern or tank overflow, footing drain, discharge from any vehicle wash rack or water motor, or the contents of any privy vault, septic tank or cesspool, or the discharge or effluent from any air conditioning machine or refrigeration unit.
- (m) No person shall discharge or cause to be discharged any waters or wastes containing a toxic or poisonous substance, a high chlorine demand or suspended solids in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters or the effluent of the sewage treatment plant. Such toxic substances shall be limited to the average concentrations listed hereinafter in the sewage as it arrives at the treatment plant and at no time shall the hourly concentration at the sewage treatment plant exceed three times the average concentration. If concentrations listed are exceeded, individual establishments will be subject to control by the Engineer in volume and concentration of wastes discharged.

Limits of Toxic Substances in Sewage

| | |
|-----------------------------------|-----------|
| Iron, as Fe----- | 1.4 mg/l |
| Chromium, as Cr (hexavalent)----- | 0.10 mg/l |
| Copper, as Cu----- | 0.5 mg/l |
| Chlorine Requirements ----- | 15.0 mg/l |
| Phenol----- | 0.8 mg/l |
| Cyanide, as CN----- | 0.3 mg/l |
| Cadmium, as Cd----- | 0.02 mg/l |
| Zinc, as Zn----- | 0.5 mg/l |
| Nickel----- | 1.0 mg/l |
| Arsenic, as As----- | 0.1 mg/l |
| Barium, as Ba----- | 2.0 mg/l |
| Lead, as Pb----- | 0.05 mg/l |
| Selenium, as Se----- | 0.02 mg/l |
| Mercury, as Hg----- | 0.01 mg/l |
| Persistent Pesticides ----- | 0.00 mg/l |

- (n) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or as amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.
- (o) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- (p) Any substance which may cause the POTW's effluent or any other product of the POTW such residues, sludge, or scums, to be unsuitable for reclamation and reuse. In no case, shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of Public Law 95-2171, any criteria guidelines or regulations affecting sludge use or disposal development pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or State criteria applicable to the sludge management method being used.

Sec. 704. Grease, oil and sand interceptors shall be provided when the above set limits for those substances are exceeded or when, in the opinion of the Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and 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 Engineer, and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures. They shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place, shall be gastight and watertight.

Sec. 705. Where installed, all grease, oil and sand interceptors shall be maintained by the Owner, at his expense, in continuously efficient operation at all times and shall be readily accessible and open to inspection by the Inspector at any time.

Sec. 706. The admission into the public sewers of any waters or wastes having (a) a 5-day Biochemical Oxygen Demand greater than 300 milligrams per liter, or (b) containing more than 350 milligrams per liter of Suspended Solids, or (c) containing more than 15 milligrams per liter of chlorine requirement, or (d) containing any quantity of substances having the characteristics described in Section 703, or (e) having an average daily flow greater than two percent of the average daily sewage flow of the Town shall be subject to the review and approval of the Engineer. Where necessary, in the opinion of the Engineer, the Owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the Biochemical Oxygen Demand to 300 milligrams per liter and the Suspended Solids to 350 milligrams per liter by weight, or (2) reduce the chlorine requirements to 15 milligrams per liter, or (3) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 703, or (4) control the quantities and rates of discharge of such waters or wastes. When pretreatment standards are adopted by the United States Environmental Protection Agency and the New York State Department of Environmental Conservation for any given class of industries, then such industries must immediately conform to the timetable for adherence to these standards. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Engineer and of the New York State Department of Environmental Conservation, and no construction of such facilities shall be commenced until said approvals are obtained in writing. Failure to comply with one or more of the remedial procedures as required by the Engineer will constitute a violation of this Local Law.

Sec. 707. Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the Owner at his expense.

Sec. 708. When required by the Engineer, the Owner or any property served by a building sewer carrying industrial wastes shall install a suitable control manhole 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 Engineer. 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.

The Inspector may require a user of sewer services to provide information needed to determine compliance with this Law. These requirements may include:

Wastewaters discharge peak rate and volume over a specified time period.

Chemical analyses of wastewaters.

Information on raw materials, processes, and products affecting wastewater volume and quality.

Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.

A plot plan of sewers on the user's property showing sewer and pretreatment facility location.

6) Details of wastewater pretreatment facilities.

7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Law shall be determined in accordance with the most recent edition of "Standard Methods for the Examination of Water and Wastewater" upon suitable samples taken at the control manhole provided for in Section 708. 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.

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town or any industrial concern whereby an industrial waste of unusual strength of character may be accepted by the Town for treatment, subject to payment therefor by the industrial concern.

All of the preceding standards are to apply at the point where the industrial wastes are discharged

into the public sanitary sewerage system. Any chemical or mechanical corrective treatment required must be accomplished to practical completion before the wastes reach that point. The laboratory methods used in the examination of all industrial wastes shall be those set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association. However, alternate methods for the analysis of industrial wastes may be used subject to mutual agreement between the Town Board and the producer of such wastes. The frequency and duration of the sampling of any industrial waste shall not be less than once every 3 months for a 24-hour period. However, more frequent and longer periods may be required at the discretion of the Town Board.

Sec. 713. No user shall ever increase the use or process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant specific limitation developed by the Town or State unless authorized by State or Federal regulations.

Sec. 714. A user shall notify the Town and the operator of the POTW immediately upon accidentally discharging wastes in violation of this ordinance. This notification shall be followed, within 15 days of the date of occurrence, by a detailed statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrence. Such notification will not relieve users of liability for any expense, loss or damage to the sewer system, treatment plant or treatment process, or for any fines imposed on the Town under applicable State and Federal regulations.

Sec. 715. Garbage grinders shall not be connected to building drains in buildings serviced by a sewage treatment plant utilizing septic tanks.

Sec. 716. All users served by public sewers connected to the Onondaga County public sewer system shall comply with all provisions of Onondaga County's "Rules and Regulations Relating to the Use of the Public Sewer System" issued by the Onondaga County Department of Drainage and Sanitation. This document, in its entirety, is hereby a part of this section.

Sec. 717. All users in the Ft. Brewerton Sewer District served by public sewers connected to the Onondaga County public sewer system are subject to all restrictions

of the Intermunicipal Agreement between the Town of Hastings and the County of Onondaga. The Intermunicipal Agreement provides for acceptance and treatment, by Onondaga County, of sanitary sewage from the Ft. Brewerton Sewer District. The Agreement prohibits the connection of new residential users without permission of the Onondaga County Department of Drainage and Sanitation and prohibits the connection of new commercial/industrial users without the permission of the Onondaga County Legislature. The Intermunicipal Agreement is hereby a part of this section.

ARTICLE VIII PROTECTION FROM DAMAGE

Sec. 801. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the Town sewerage works. Any person violating this section shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE IX POWERS AND AUTHORITY OF INSPECTORS

Sec. 901. The Inspector and other duly authorized representatives of the Town, the Oswego County Department of Health, or the New York State Department of Environmental Conservation, 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 Inspector or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Sec. 902. The Inspector and other duly authorized employees, representatives or contractors of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town 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 IX(A) Trucked or Hauled Waste

Sec. 901A-Licenses and Application

The discharge of trucked or hauled wastes into the (-CVT-) sewer system and public sewers tributary thereto will be permitted only with the written approval (license) of the Superintendent. Applicants for such license shall apply on a form provided by the Superintendent.

These forms may require information such as vehicle specifications, vehicle license number, vehicle color, NYSDEC permits issued under 6 NYCRR Part 364, approximate annual septage volume expected, service area, and any other information that the Superintendent may require, to determine whether the trucked or hauled wastes could adversely impact the POTW. The application shall be accompanied by a fee prescribed by the Superintendent, not to exceed \$100.

The licensee of trucked or hauled wastes will also be charged a fee for each dumping, in accordance with Article 12. The dumping fee shall be paid prior to dumping.

Section 902A-Concurrent Requirements

The applicant for a license to truck or haul wastes shall be the owner of the vehicle or vehicles to be used for such discharge. Any false or misleading statement, in any license application, shall be grounds for invalidating the license. All licenses, issued by the Superintendent, for this purpose, shall be for one (1) year. The licensee shall also be duly permitted by the NYSDEC under 6 NYCRR Part 364 ("364 permit"). If, for any reason, the 364 permit is revoked, the 364 permit lapses or becomes invalid, then the license issued under this Article shall become invalid immediately. All acts performed in connection with the license shall be subject to the inspection and regulations, as established by the Superintendent, the terms and conditions of the license and all local and general laws, ordinances, and regulations which are now or may come into effect, and such license may be suspended or revoked, at any time by the Superintendent for willful, continued, or persistent violation thereof.

Section 903A-Dumping Location and Timing

The Superintendent may require discharging at only certain locations within the POTW, and only at certain times, and on only certain days of the week, or seasons of the year as shall be stated on said license or as may be relocated by the Superintendent, after appropriate notice.

Section 904A- Notification of Dumping

Each discharge of trucked or hauled wastes shall be made only with the approval of the Superintendent. The Superintendent may require inspection, sampling, and analysis of each load prior to the discharge of a load. Any extra costs associated with such inspection, sampling, and analysis shall be paid by the licensee.

ARTICLE X PENALTIES

- Sec. 1001. Any person found to be violating any provisions of this Local Law except Article VIII shall be served by the Town 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.
- Sec. 1002. Any person who shall continue any violation beyond the time limit established by the notice provided in this Article, Section 1001, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in an amount not exceeding one hundred dollars (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- Sec. 1003, Any person violating any of the provisions of this Local Law shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation.

ARTICLE XI SEWER BENEFIT CHARGES

- Sec. 1101. The source of the revenues for retiring debt services, capital expenditures, operation and maintenance of the public sewerage works shall be a sewer benefit charge assigned to Owners of benefited property located within each applicable Sewer District established by the Town according to a formula as set forth by resolution of the Town Board for each Sewer District.
- Sec. 1102. Sewer benefit charges shall be determined by the Town Board for each Sewer District established by said Town on a year to year basis. The Town Board reserves the right, from time to time, to change sewer benefit charges originally or previously assigned to any property owner.

ARTICLE XII VALIDITY

- Sec. 1201. All local laws, ordinances, or parts of local law or ordinances in conflict herewith are hereby repealed.
- Sec, 1202. The invalidity of any section, clause, sentence or provision of this Local Law shall not affect the validity of any or any other part of this Ordinance which can be given without such invalid part or parts.

ARTICLE XIII EFFECTIVE DATE'

- Sec. 1301, This Local Law shall. be in full force and effect upon its approval publication and filing as provided by law.