

**LOCAL LAW NO. 5 OF THE YEAR 2013
SEWER USE LAW OF THE TOWN OF WEST MONROE 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 WEST MONROE, COUNTY OF OSWEGO,
STATE OF NEW YORK**

Be it enacted by the Town Board of the Town of West Monroe as follows:

ARTICLE I

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this Local Law shall be as follows:

SECTION 101. "A.S.A." shall mean American Standards Association.

SECTION 102. "A.S.T.M." shall mean American Society for Testing and Materials.

SECTION 103. "Town Council" shall mean the duly elected Town Council of the Town of West Monroe or their authorized deputy or representative.

SECTION 104. "B.O.D." (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.

SECTION 105. "Builder" shall mean any person, persons or corporation who undertakes to construct, either under contract or for resale, any habitable building.

SECTION 106. "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.

SECTION 107. "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.

SECTION 108. "Combined Sewer" shall mean a sewer intended to receive both surface runoff and sewage.

SECTION 109. "Contractor" shall mean any person, firm or corporation approved by the Town Council to do work on the sewage system in the Town.

SECTION 110. "Cooling Water" shall mean the water discharged from any system of condensation, air conditioning, cooling, refrigeration or other, but which shall be free from odor

and oil. It shall contain no polluting substances which would produce B.O.D. or suspended solids each in excess of ten milligrams per liter.

SECTION 111. "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.

SECTION 112. "Engineer" shall mean the Professional Engineer retained as Town Engineer for the Town of West Monroe or for a particular sewer district.

SECTION 113. "Garbage" shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

SECTION 114. "Grease and Oil" shall mean the results obtained when using an approved laboratory procedure to determine the quantity of fats, was, grease and oil in a sample, expressed in milligram per liter.

SECTION 115. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sewage.

SECTION 116. "Grinder Pump" shall mean a sewage service pump provided and maintained by the Town and located on private property and installed by the Owner. The grinder pump shall grind macerate and pump sewage into the mainline sewer.

SECTION 117. "Mainline Sewer" shall mean the sanitary sewer which in general is located within street Rights-of-Way and is laid parallel to the longitudinal axis of the road.

SECTION 118. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

SECTION 119. "N.Y.S.D.E.C." shall mean New York State Department of Environmental Conservation.

SECTION 120. "N.Y.S.D.O.T." shall mean New York State Department of Transportation.

SECTION 121. "Owner" shall mean any individual, firm, company, association, corporation, society, person or group having title to real property.

SECTION 122. "Other Wastes" shall mean garbage (shredded or unshredded), refuse, wood, egg shells, coffee grounds, sawdust, shavings, bark, sand, lime, ashes, and all other discarded matter not normally present in sewage or industrial wastes. Also, the discarded matter not normally present in sewage or industrial wastes.

SECTION 123. "Person" shall mean any individual, firm, company, association, society, corporation or group.

SECTION 124. "Pass Through" shall mean the discharge which exits the publicly owned treatment works into waters of the state in quantities or concentrations, which, alone or in conjunction with discharges from other sources, is a cause of a violation of any requirement of the SPDES permit (including an increase in the magnitude or duration of a violation).

SECTION 125. "pH" shall mean the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

SECTION 126. "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.

SECTION 127. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2-inch in any dimension.

SECTION 128. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

SECTION 129. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

SECTION 130. "Service Lateral" shall mean the sanitary sewer which extends from the mainline sewer toward the property being provided with sewer service. The "service lateral" shall begin at a wye or manhole in the "mainline sewer" and terminate within five (5) feet of the street or sewer Right-of-Way.

SECTION 131. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

SECTION 132. "Sewage Treatment Plan" shall mean any arrangement of devices and structures used for treating sewage.

SECTION 133. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

SECTION 134. "Sewer" shall mean a pipe or conduit that carries wastewater.

SECTION 135. "Shall" is mandatory; "May" is permissive.

SECTION 136. "Slug" shall mean a substantial deviation from normal rates of discharge or constituent concentration sufficient to cause interference. In any event, a discharge which, in concentration with any constituent or in quantity of flow, that exceeds, for any period of duration longer than 15 minutes, more than five times the average 24 hour concentration or flow during normal sewer user operations, shall constitute a slug.,

SECTION 137. "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.

SECTION 138. "Superintendent" shall mean the Superintendent of the Town of West Monroe's Sewage Works or his authorized deputy, agent or representative.

SECTION 139. "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.

SECTION 140. "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 Superintendent, and not more than ten milligrams per liter each of suspended solids and B.O.D. The color shall not exceed fifty milligrams per liter.

SECTION 141. "Unsanitary" shall mean a situation that is liable to promote disease

SECTION 142. "U.S.E.P.A." shall mean United States Environmental Protection Agency.

SECTION 143. "Town" shall mean the Town of West Monroe, New York.

SECTION 144. "Watercourse" shall mean a natural or artificial channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II

USE OF PUBLIC SEWERS REQUIRED

SECTION 201. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner upon public or private property within a sewer district in the Town of West Monroe any human or animal excrement, garbage or other objectionable waste. Exceptions may be granted by the Town Council to an owner or lessee acting in the normal course of garden operations and farming.

SECTION 202. It shall be unlawful to discharge to any watercourse, either directly or through any storm sewer, within a sewer district in the Town of West Monroe, any sewage, industrial wastes or other polluted waters.

SECTION 203. 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 sewer districts in the Town.

SECTION 204. The Owner of any house, camp, cottage, mobile home, motor home, building or property, used for human occupancy, employment, recreation or other purposes, which generate, are capable of generating and/of discharge sewage, situated within a sewer district in the Town and abutting on any street, alley or right-of-way in which there is located a public sanitary sewer 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 the property's service lateral extension and/or pressurized sanitary sewer is within five (5) feet of the property line (as defined in Article I) within the street or sewer right-of-way. The Owner of new houses or buildings constructed within a sewer district in the Town shall be required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper sewer in accordance with the provisions of this local law prior to occupancy of the house or building provided that the property's service lateral extension and/or pressurized sanitary sewer is located within five (5) feet of the property (as defined in Article I) line and the distance across the property from the building to the property line is less than two hundred (200) feet. No building capable of generating or discharging sewage located two hundred (200) feet or more from the property line (as defined in Article I) shall be required to connect to the sewer line. However, any such building shall be served by a sewage disposal system which complies with all controlling agencies and this Local Law.

If connected to a sewer, the Owner shall remain connected and liable to sewer service charges unless the building or structure is demolished and notice given to the Town. Disconnections of water service or removal of plumbing facilities shall not relieve the Owner from the provisions of this law.

ARTICLE III

PRIVATE SEWAGE DISPOSAL

SECTION 301. Where a public sanitary sewer is not available under the provisions of Section 204, the building sewer shall be connected to a private sewage disposal system complying with the requirements of the New York State Department of Health and the Town Ordinance of the Town of West Monroe, dealing with septic tank installations.

The installation of the private sewage disposal system shall be completed to the satisfaction of the Superintendent. The Superintendent shall be allowed to inspect the work at any stage of construction. The work shall be inspected by the Superintendent before any underground portions are covered; and the person performing such work shall notify the Superintendent when the installation is completed.

SECTION 302. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 204, a direct connection shall be made to the public sewer in compliance with this local law, and any septic tanks, cesspools and similar private sewage disposal facilities, shall be abandoned and filled with suitable backfill material within ninety (90) days after the direct connection is made to the public sewer.

SECTION 303. No statement contained in this article shall be constructed to interfere with any additional requirements that may be imposed by the authorized representative of the New York State Department of Health.

ARTICLE IV

BUILDING SEWERS, CONNECTIONS AND FEES

SECTION 401. No 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.

SECTION 402. There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. 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 Engineer. An authorized representative of the Town shall make all final connections to the Sanitary Sewer.

No permit, tap-in and inspection fee shall be required for connections made during the one (1) year hook-up period provided for under the provisions of Section 204. After the one (1) year period has expired, a permit, grinder pump tap-in and inspection fee shall be paid to the Town Clerk at the time an application is filed; provided, however, that no more than four (4) living units in the same building may be connected to a single tap. The Town Board shall fix a permit, grinder pump tap-in and inspection fee for each residential, commercial or industrial building after recommendation of the Engineer based on the size and nature of the operation proposed.

SECTION 403. Existing 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.

SECTION 404. The building sewer pipe materials shall be one of the following:

1. 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.
2. Service Class Cast Iron Soil Pipe conforming to the requirements of ASTM A74-75. Joints shall be hub and spigot type with preformed rubber gaskets conforming to Specification HSN of the Cast Iron Soil Pipe Institute.

Any part of the building or street lateral that is located within five (5) feet of a water main or water service shall be constructed of cast iron soil pipe. Cast iron soil pipe may be required by the Superintendent where the building or street lateral is likely to be damaged by tree roots. If installed on fill or unstable ground, the building or street lateral shall be of cast iron soil pipe, although other pipe material may be permitted if such pipe is uniformly supported on a poured concrete cradle approved by the Superintendent. The distance between consecutive joints, as measured along the centerline of the installed pipe, shall not be less than ten (10) feet, except under abnormal circumstances, in which case this dimension may be diminished, if approved by the Superintendent. The size and slope of building and street laterals shall be subject to approval by the Superintendent, but in no event shall the internal pipe diameter be less than 4-inches. Wherever possible, the minimum slope shall be 1/4 inch per foot. Where necessary, a minimum slope of 1/8 inch per foot will be allowed; however, under such conditions, consideration should be given for use of 6-inch diameter pipe.

SECTION 405. 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 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. A cleanout shall be provided for each change of direction of 90 degrees or more and for every 100 feet of building sewer. Such cleanouts shall be not less than 4-inches in size and no bend sharper than a 45 degree bend shall be used for a change in direction.

SECTION 406. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with Sections ASTM Specification C12 or the latest revision thereof except that no backfill shall be placed until the work has been inspected by the Superintendent and except that trench width measured at the top of the installed pipe shall not exceed twenty-four (24) inches.

SECTION 407. All joints and connection shall be made watertight. No Portland cement or masonry joints will be permitted.

SECTION 408. The connection of the building sewer into an existing public sewer shall be made within five (5) feet of the property line. Except as provided under Sections 502 and 503, if the portion of the building sewer located in the street or right-of-way has not previously been provided, such will be constructed from the existing public sewer to within five (5) feet of the property line by the Town upon submittal of a proper request by the property owner and upon deposit of the estimated cost thereof. Responsibility for damage to the building sewer shall be borne by the Owner. All costs and expenses incident to the installation and connection of the entire length of building sewer including any portion of the building sewer that may be required to be installed for connection to the service lateral in the street or right-of-way shall be borne by the Owner as part of the fee set forth in Section 402. The Owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The method of connection of the building sewer to the public sewer (within five (5) feet of the property line) will be dependent upon the type of pipe material used and in all cases shall be approved by the Superintendent.

SECTION 409. 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 or his representative. At least a 48-hour notice shall be given to the Superintendent prior to the inspection.

When trenches are opened for the laying of building sewer pipes, such trenches shall be inspected by the Superintendent before the trenches are filled; and the person performing such work shall notify the Superintendent 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 up to \$250.00 for each such offense, and said person shall also bear the cost of reopening the trench for inspection.

SECTION 410. 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.

SECTION 411. When any building sewer is to serve a school, hospital, or similar institution or public building, or is to serve a complex of industrial or commercial buildings, or which, in the opinion of the Superintendent, will receive sewage or industrial wastes of such volume or character that frequent maintenance of said building sewer is anticipated, then such building sewer shall be connected to the public sewer through a manhole. The Superintendent shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Superintendent. If required, a new manhole shall be installed in the public sewer pursuant to Section 504, and the building sewer connection made thereto as directed by the Superintendent.

ARTICLE V

SEWER EXTENSIONS

SECTION 501. All extensions to the sanitary sewer system owned and maintained by the sewer districts or 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.

SECTION 502. 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 costs. 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 IV. Property owners may propose sewer extensions within the Town in accordance with Section 194 et. seq. of 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.

SECTION 503. If the Town does not elect to construct a sewer extension under public contract, the property owner, builder or developer shall construct a sewer extension, if such extension serves more than one property and if such extension is approved by the Town Board in accordance with the requirements of Section 501. He or they must pay for the entire installation, including all expenses incidental thereto. Each building sewer must be installed and inspected as previously required and the inspection fees shall be paid. Design of sewers shall be as specified in Section 504. The installation of the sewer extension must be subject to inspection by the Engineer and the expenses for this inspection shall be paid for by the owner, building or developer.

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 505 before it is to be used. The cost of the sewer extension thus made shall be absorbed by the developers or the property owners, including all building sewers.

SECTION 504.

Installation - Pipe and fittings shall be laid on stable foundations, free from standing water, and trimmed to shape. For pipe bedding use Type C-1 trench lining gravel material as supplied by Owner. The remaining trench backfill material to be Type a-2 material as described in Section 2C, clause 2C15. In particular, stones 2 inches or larger shall be removed from the bearing surface of the pipe foundation. At the joints, enough depth and width shall be provided to permit the pipe layer to reach entirely around the pipe so that the joints may be made in a proper manner. Pipes shall have full bearing throughout their entire length, which shall be accomplished by shaping the bottom of the ditch or adequately tamping the backfill under the pipe in accordance with Table 1, Minimum Compaction Requirements, of the Section entitled

"Excavation and Backfill". When laid in tunnels, pipes shall be blocked in such a manner as to take the weight off the bells. Pipe laid in normal trench excavation shall not be laid on wood blocking. Mechanical type joints shall be lightened within the AWWA recommended torque range.

Unless otherwise shown on the Drawings, as a minimum, all pipe shall be backfilled to the springline, including hand tamping with T-bars, shovel slicing, and flatheads, and mechanically compacted and the remaining backfill placed in 12-inch lifts to 1 foot above the crown of the pipe in accordance with Table 1, Minimum Compaction Requirements, of the section entitled "Excavation and Backfill". Backfill material within 12 inches of the pipe shall be free of stones greater than 2 inches in any dimension. Unless otherwise shown on the Drawings, the minimum total finished cover over the top of the pipe barrel of all pipe shall be 5 feet.

Proper and suitable tools and appliances for driving the new pressure sewer beneath the pavement shall be used. The Contractor shall drive the new sewer by jacking or boring methods. The Contractor shall maintain 5 feet of cover above the sewer pipe while jacking or boring. If jacking or boring results in less than 4.5 feet of cover above the sewer, the Contractor shall repeat work at no additional cost to the Owner until a minimum of 4.5 feet of cover is obtained.

Material - Rigid PVC pipe, couplings and fittings shall be extruded using compounds conforming to ASTM Standard D 1784 with cell classifications congruent with the intended use of the pipe. PVC pipe shall be manufactured in accordance with the ASTM Standard D1785 and D2241, except as modified below.

PVC pipe for pressure sewer service in nominal sizes of 1.5-inch through 4-inch, inclusive, shall meet the requirements of AWWA Standard C900. Unless otherwise specified in the schedule, PVC pipe shall be Class 200 having a standard dimension ratio (SDR) of 21. All PVC pipe shall be installed in strict accordance with the manufacturer's recommendations.

Fittings - The pipe fittings for use on PVC pressure pipe shall be PVC incorporating rubber gaskets, or where shown threaded or solvent weld joints.

Joints - Pipe to be furnished with rubber gasket push-on joints. The type of joint shall meet the following requirements:

1. Push-on Joint - All PVC pipe shall have push-on joints consisting of an integrally cast bell with a factory installed, solid cross-section gasket, securely locked in place to prevent displacement during assembly. Joints shall meet the requirements of AWWA Standard C900. For connection of PVC pipe to other materials, use adaptors as recommended by the pipe manufacturer.

High Density Polyethylene (HDPE) - pipe shall be used for pressure piping only, couplings and fittings shall be of designated PE3408 or PE4710/PE3408 resin. HDPE Pipe shall conform to ASTM D3350 and AWWA C901/C906. HDPE Fittings shall conform to ASTM F714 and ASTM D3261. Pipe shall have a DR of 11, iron pipe sizing system. Joining of HDPE

pipe shall be by butt fusion or where circumstances warrant coupling shall be by the electro-fusion socket type connection that provides a welded connection. All HDPE pipe shall be installed in strict accordance with the manufacturer's recommendations. For connections of HDPE pipe to other materials, a restrained transition coupling with stiffener shall be utilized.

All non-metallic pipe shall have tracer wire affixed to the top of the pipe. Tracer wire shall be HDPE coated copper-clad steel with minimum 0.0808 inch (12 AWG) conductor. Tracer wires shall terminate at tracer boxes located at all terminal ends of nonmetallic pipe runs and spaces a maximum distance of 1,000 feet along the pipe.

SECTION 505.

All pressure pipelines shall be tested in accordance with AWWA Standard C600. The following procedure shall be used:

All newly laid pipe or any valved section thereof, shall be subjected to a hydrostatic pressure 50 percent in excess of the working pressure at any point on the section being tested for a period of two hours. A leakage test shall be conducted concurrently with the pressure test. The rate of leakage shall not exceed 11.65 gallons per day, per mile of pipe, per inch of nominal pipe diameter. Any leaks or defective pipe disclosed by the leakage and pressure tests shall be repaired or replaced and aforementioned tests repeated as often as necessary until in conformance with the requirements. All visible leaks, regardless of the amount, shall be repaired.

The Contractor shall accomplish the required tests on the pipeline by individually testing each component section of the installed main. The maximum length of section permitted to be tested at any one time will be approximately one mile, and normally will be less. All water for tests shall be furnished and disposed of by the Contractor at his expense. The source and/or quality of water which the Contractor proposes to use in testing the lines shall be potable water acceptable to the Engineer.

SECTION 506. Upon completion of a sewer extension, the applicant shall prepare and submit to the Engineer one (1) copy of "As-built" drawings showing final rim and invert elevations, final stationing and alignment of sewer main, physical ties to manholes, valves, and cleanouts, and services. The applicant shall also submit to the Town Attorney originals of all deeds and easements for the proposed sewer right-of-way areas. All sewer extensions constructed at the property owner's, builder's, or developer's expense, after final approval and acceptance by the Engineer, shall become the property of the Town if they are located in the street or public right-of-way, at no cost to the Town, and shall thereafter be maintained by the Town. Said sewers, after their acceptance by the Town, shall be guaranteed against defects in materials or workmanship for twelve (12) months. The guarantee shall be in a form provided for by the Town. At the sole discretion of the Town, a completion bond or certified check may be required as part of the guarantee.

SECTION 507. No builder or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities within the Town unless a suitable and approved method of waste disposal is proposed and provided. All new developments within a sewer district shall be provided with an approved system of sanitary sewers which shall be connected to the public sewer system. This connection shall be made before any occupancy takes place in the new development.

ARTICLE VI

USE OF THE PUBLIC SEWERS

SECTION 601. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

SECTION 602. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a watercourse approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Superintendent, to a storm sewer or natural outlet.

SECTION 603. 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:

- a. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Centigrade).
- b. 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.
- c. 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.
- d. Any gasoline, benzine, naphtha, fuel oil or mineral oil, or other flammable or explosive liquid, solid or gas.
- e. 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 of preventing entry into sewers for their maintenance and repair.
- f. 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. Garbage grinders may be connected to the sanitary sewer system only from homes, hotels, restaurants,

hospitals, catering establishments, or similar places where garbage originates from the preparation of food for the purpose of consumption on the premises or when served by caterers.

- g. 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, other wastes, 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.
- h. 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 alkalis must be neutralized, at all times, within a permissible pH range of 6.0 to 9.5.
- i. Any cyanides, in excess of 0.2 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 300 gallons per minute except by special permit. Normal sewage shall be defined as falling within the following ranges:
 - 1. B.O.D. (Five Day) - 2,090 lbs. per million gallons (250 milligrams per liter), or less.
 - 2. Suspended Solids - 2,500 lbs. per million gallons (300 milligrams per liter), or less.
 - 3. Phosphorus - 125 lbs. per million gallons (15 milligrams per liter), or less.
 - 4. Ammonia - 250 lbs. per million gallons (30 milligrams per liter), or less.
 - 5. Total Kjeldahl Nitrogen - 417 lbs. per million (50 milligrams per liter), or less.
 - 6. Chlorine Demand - 209 lbs. per million gallons (25 milligrams per liter), or less.
 - 7. Chemical Oxygen Demand - 2,920 lbs. per million gallons (350 milligrams per liter), or less.
 - 8. Oil and Grease - 830 lbs. per million gallons (100 milligrams per liter), or less.

In spite of satisfying one or more of these characteristics, if the sewage also contains substances of concern, it may not be considered normal sewage.

- l. Any stormwater, 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 Town sewage treatment plant. Such toxic substances shall be limited to the average concentrations listed hereinafter in the sewage at the point where it is discharged in the Public Sanitary Sewage System and at no time shall the hourly concentration 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

Cadmium.....	0.4 mg/l
Hex. Chromium.....	0.2 mg/l
Total Chromium.....	4.0 mg/l
Copper.....	0.8 mg/l
Lead.....	0.2 mg/l
Mercury.....	0.2 mg/l
Nickel.....	4.0 mg/l
Zinc	1.2 mg/l
Arsenic	0.2 mg/l
Available Chlorine	50.0 mg/l
Cyanide-free	0.4 mg/l
Cyanide-complex	1.6 mg/l
Selenium	0.2 mg/l
Sulfide	6.0 mg/l
Barium.....	4.0 mg/l
Manganese	4.0 mg/l
Gold.....	0.2 mg/l
Silver	0.2 mg/l
Fluorides -	
To Fresh Water	4.0* mg/l
To Saline Water	36.0 mg/l
Phenol	4.0 mg/l

* May be multiplied by a factor of 1.5 if the municipal water supply is not fluoridated.

SECTION 604. 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.

SECTION 605. 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 Superintendent at any time.

SECTION 606. 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 603, or (e) creating a pass-through in excess of permit requirements, or (f) creating a slug, or (g) 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 603, or (4) control the quantities and rates of discharge of such waters or wastes. 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. Preliminary treatment facilities shall comply with any applicable requirements promulgated pursuant to Section 307 of Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500. Failure to comply with one or more of the remedial procedures as required by the Engineer will constitute a violation of this Local Law. 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.

SECTION 607. 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.

SECTION 608. When required by the Engineer, the Owner of 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.

SECTION 609. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 603 and 606 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 608. 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.

SECTION 610. 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 or character may be accepted by the Town for treatment, subject to payment therefore by the industrial concern.

SECTION 611. All of the preceding standards are to apply at the point where the industrial wastes are discharged into the public sanitary sewerage system and 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, alternative methods for the analysis of industrial wastes may be used subject to mutual agreement between the Town Council, and the producer of such, wastes and the approval by the NYSDEC. 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 Council.

SECTION 612. No provisions of this Local Law shall prohibit the enforcement of Section 307 of the "Act" (PL92-500).

SECTION 613. The Engineer or Superintendent may require a user of sewer services to provide information needed to determine compliance with this Law. These requirements may include:

1. Wastewaters discharge peak rate and volume over a specified time period.
2. Chemical Analyses of wastewaters.
3. Information on raw materials, processes, and products affection wastewater volume and quality.
4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other, or other materials important to sewer use control.
5. A plot plan of sewers on the user's property showing sewer and pretreatment facilities.
6. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

SECTION 614. 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.

SECTION 615. A user shall notify the Town 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 sewage works or treatment process, or for any fines imposed on the Town under applicable State and Federal regulations.

SECTION 616. All sewage originating from users connected to a public sewer which connects to the Town of Hastings public sewer system shall meet all of the current requirements of Hastings Sewer Use Law. This document, in its entirety, is hereby a part of this section.

SECTION 617. All users served by public sewers connected to the Town of Hastings public sewer system are subject to all terms of the Intermunicipal Agreement between the Town of Hastings and the Town of West Monroe. The Agreement provides for acceptance and treatment, by Hastings, of sanitary sewage from the Town of West Monroe. The Agreement prohibits additions to the Big Bay and Toad Harbor Sewer Districts without approval from the Town of Hastings. No sewage or waste water other than domestic waste shall be discharged to the Town of Hastings without a valid Sewage and Waste Water Discharge permit. No wastes shall be discharged into or otherwise flow into the Hastings Sewer System in violation of Hastings Sewer Use Law, the Discharge Permit, or the Intermunicipal Agreement. The Intermunicipal agreement is hereby part of this section.

ARTICLE VII

PROTECTION FROM DAMAGE

SECTION 701. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structures, appurtenance or equipment, which is part of the Town sewerage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, or other applicable provisions of the law.

ARTICLE VIII

POWERS AND AUTHORITY OF INSPECTORS

SECTION 801. The Superintendent, the Engineer, and other duly authorized employees of the Town and authorized employees of the U.S. Environmental Protection Agency, Oswego County Department of Health, the N.Y.S.D.E.C., or any other appropriate governmental agencies, bearing proper credentials and identifications shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Local Law.

ARTICLE IX

PENALTIES

SECTION 901. Any person found to be violating any provision of this Local Law, except Section 701, 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.

SECTION 902. Any person, individual, firm, corporation or partnership who fails to comply with the provisions of this Local Law other than those provisions pertaining to the payment of charges for services established herein shall be guilty of disorderly conduct or other applicable provisions of the law and shall be subject to fine not exceeding \$1,000.00 for each offense. The continued violation of any provision of any section of this Local Law other than those pertaining to the payment of charges for services established herein shall constitute a separate offense for each and every day such violation of any provision hereof shall continue.

SECTION 903. Additionally, upon violation of this Local Law, the proper authorities of the Town, in addition to other remedies, may institute any appropriate action or proceedings including an injunction to prevent such unlawful use, construction or maintenance of cesspools, septic tanks, sewage disposal systems, pipes or drains to restrain, correct or abate such violation to prevent the occupancy of any building or structure or land where said violations of this Local Law are found.

SECTION 904. 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, and the Village may initiate an action in a court of competent jurisdiction to recover such damages.

SECTION 905. Any person who willfully violates any provision of this law or order of the Superintendent made in accordance with this Local Law shall, in addition, be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than \$500.00, nor more than \$1,000.00. Each offense shall be a separate and distinct offense, and, in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense. In the event of a second conviction, the user shall be punishable by a fine not to exceed \$3,000.00 per violation per day or imprisonment for not more than three years, or both.

Any user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Local Law, or wastewater permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Local Law, shall, upon conviction, be punished by a fine of not more than \$1,000.00 per violation per day, or imprisonment for not more than one year, or both. In the event of a second conviction, the user shall be punishable by a fine not to exceed \$3,000.00 per violation per day, or imprisonment of not more than three years, or both.

ARTICLE X

SEWER USE CHARGES

SECTION 1001. The source of the revenues for debt service and capital expenditures shall be a sewer capital charge and the source of revenues for operation and maintenance of the public sewerage works shall be a sewer rent charge to owners of any real property located within the incorporated limits of the Town, served or required to be served by the sewerage works.

SECTION 1002. The sewer capital charge will be levied annually commencing on the date established by the Town Board and shall be included within the annual tax bill. The amount levied and collected will be the amount the Town is obligated to pay for the principal and interest on its outstanding sewer serial bonds. The sewer capital charge will be established by the Town Board on an annual basis and the charge will be in accordance with the classification of units set forth in Section 1005.

SECTION 1003. The sewer rent charge shall mean a scale of charges established and imposed by the Town Board for the use of the sewerage works in accordance with the classification of units set forth in Section 1005. Additionally, the estimated cost for electrical service for each grinder pump shall be equitably apportioned by the Town Board among the user(s) of each grinder pump.

SECTION 1004. The classification of units shall mean the benefits and quantities of usage of the sewerage works assigned to different classifications of real property in the Town.

SECTION 1005. The basis of the charge for sewer capital charges and sewer rents to be paid by the owners of real property served, or required to be served, shall be determined from the following schedule:

Classification	No. of Units
Single Family House	1
Two-Family House	1.75
Each apartment in a multiple dwelling (three or more units)	.75
Mobile Home	1
Gasoline Service Station	1.50
Car Wash Facility, per stall	1.50
Restaurant (including taverns and diners)	1 per public restroom plus 1 per kitchen
Church	.50
Marina	2.5
Fish Processing Facilities	3
Bank (five employees per unit), but not less than one	1
Dentist, Doctor, Mortician Office, Beauty Salon	1.50
Laundromat - per six machines or part thereof	2.0
Supermarket	1.50
Fraternal, Volunteer and non-profit, including Fire Department, Grange and Masons	.50
Residential business not otherwise defined herein	1.50
Store building, including, but not limited to, drug store, hardware, liquor store	1
Hotel, Motel or Boarding House, per bed	.25
School, including day care facilities per every ten students, faculty and administration	1
Office Building, five employees per unit, but not less than one	1
Government Agencies, five employees per-unit, but not less than one	1
Lumber Yard	1.50
Storage House and Vacant Business with sewage facilities	.25
Warehouse, five employees per unit, but not less than one	1
Vacant Lot	.25
Adult Care Home & owner residence	1 unit charge plus .25 units per bed

For any classification not set forth herein, the Town Board shall establish the appropriate unit value.

SECTION 1006. Revenues derived from such sewer capital charges and sewer rents, including interest, shall be credited to a special fund to be known as the "Sewer Capital and Rent Fund." Moneys in such fund shall be used for the payment of the cost of debt service, capital expenditures, and operation and maintenance of the sewerage works.

SECTION 1007. The Town Board shall have the authority to adopt, by resolution, rules and regulations concerning the interpretation and administration of this Local Law and owners of real property served, or required to be served, by the sewerage works shall be subject thereto.

The Town Board shall have the authority to establish, change or amend the Classification Units set forth in subdivision Section 1005, after public notice.

SECTION 1008. All users of sewage works, including tax exempt properties, must pay sewer capital charges and sewer rent charges.

SECTION 1009. All users served by public sewers connected to the Town of Hastings public sewer system are subject to all terms of the Intermunicipal Agreement between the Town of Hastings and the Town of West Monroe, including determination of sewer charges through an Equivalent Dwelling Unit (EDU) assessment. These users will also be subject to the sewage treatment charges as defined in the Intermunicipal Agreement, attached herein in section 617.

ARTICLE XI

VALIDITY

SECTION 1201. All Ordinances or Local Laws or parts of Ordinances or parts of Local Laws of the Town of West Monroe in conflict herewith are hereby repealed.

SECTION 1202. If any or a portion of this Local Law or the application thereof to any person or circumstances shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provisions or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of West Monroe hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provisions been apparent.

ARTICLE XII

EFFECTIVE DATE

SECTION 1301. This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.