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Village of WATKINS GLEN, NEW YORK

Local Law No. 8, of the Year 2003

A Local Law regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, design and installation of new sewers and extensions, and the discharge of waters and wastes into the public sewer system; and providing penalties for violation thereof; in the Village of Watkins Glen, Schuyler County, New York.

Be it enacted by the Board of Trustees of the

Village of Watkins Glen as follows:

This Local Law shall supercede and replace Local Law No. 3 of the year 1998, a Local Law relating to sewer use in the Village of Watkins Glen.

SECTION 1. DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this Local Law shall be as follows:

“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 5 days at 20 degrees C, expressed in parts per million by weight.

“Building Drain” shall mean that part of the lowest horizontal piping of a drainage system that receives the discharge from soil waste, and other drainage pipes within the walls of the building, and conveys it to the building sewer (lateral) beginning five feet outside the inner face of the building wall.

“Building Sewer” or “Lateral” shall mean the extension from the building drain to the public sewer or other place of disposal.

“Garbage” shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, sale and storage of produce, and from the packaging and canning of food.

“Industrial Wastes” shall mean the liquid, solid and/or gaseous wastes from industrial manufacturing processes, trade, service, utility, or business, as distinct from sanitary wastes.

“Infiltration” means water, other than wastewater, that enters a sewer system from the ground through such means as defective pipes, joints, connections, or manholes. Infiltration is inadvertent, not purposely designed or built into the sewer system.

“Inflow” means water, other than wastewater, that enters a sewer system from sources such as roof leaders, cellar drains, area drains, drains from springs, manhole covers, cross connections between storm and sanitary sewers, catch basins, cooling towers, storm waters, foundation drains, swimming pools, surface or street runoff. Inflow is purposely designed or built into the sewer system.

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

“Person” shall mean any individual, firm, company, association, society, corporation or group.

“pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

“Pretreatment” shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to discharging into the wastewater treatment system.

“Pretreatment Requirements” shall mean any substantive or procedural requirement related to pretreatment.

“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 ½ inch in any dimension.

“Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

“Sanitary Sewer” shall mean a sewer that carries wastewater and to which storm, surface and ground waters are not admitted.

“Sewer” shall mean a pipe or conduit for carrying water or wastewater.

“Shall” is mandatory; “May” is permissive.

“Significant Industrial User (SIU)” shall mean an industrial user of the wastewater treatment system that is:

- (a) Subject to National Categorical Pretreatment Standards promulgated by the EPA, or,
- (b) Having substantial impact, either singly or in combination with other industries, on the operation of the treatment system, or,
- (c) Using, on an annual basis, more than 10,000 lbs or 1,000 gallons of raw material containing priority pollutants and/or substances of concern, and discharging a measurable quantity of these pollutants to the sewer system, or
- (d) Discharging more than 5 % of the flow or load of conventional pollutants received by the wastewater treatment plant.

“Storm Sewer” or “Storm Drain” shall mean a sewer that carries storm and surface waters and drainage, but excludes wastewater and industrial wastes.

“Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, wastewater or other liquids, and which are removable by laboratory filtering.

“Toxic Substances” shall mean any substance, gaseous, liquid, or solid, that when discharged to a public sewer in sufficient quantities may be hazardous to the wastewater treatment plant, or Village personnel, or may constitute a hazard to recreation in the receiving waters.

“Village” shall mean the Village of Watkins Glen, 303 N. Franklin Street, Watkins Glen, New York; or the authorized deputy, agent or representative of the Village of Watkins Glen.

“Wastewater” or “Sewage” shall mean the combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters which may be present, and which may include liquids containing chemicals.

“Wastewater Treatment Plant” or “Sewage Plant” shall mean any arrangement of devices and structures used for treating wastewater.

“Wastewater Works” or “Sewage Works” shall mean all facilities for collecting, pumping, treating and disposing of wastewater.

“Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 2. USE OF PUBLIC SEWER REQUIRED.

a. It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the Village of Watkins Glen, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage or other objectionable waste.

b. It shall be unlawful to discharge to any natural outlet within the Village of Watkins Glen, or in any area under the jurisdiction of said Village, any sanitary sewage, industrial wastes, or other polluted water, except where suitable treatment has been provided in accordance with subsequent provisions of this Local Law.

c. Except as hereinafter provided, it shall be unlawful to construct or maintain a privy, privy vault, septic tank, cesspool or other facility intended or used for disposal of wastewater.

d. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, situated within the Village of Watkins Glen 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 90 days of the date of official notice to do so, provided that said public sewer is accessible and available as follows: For a one or two-family dwelling, a public sewer shall be deemed available when such sewer is within 100 feet of the premises on which the dwelling is located. For buildings of any other occupancy, a public sewer shall be deemed available when such sewer is within 500 feet of the premises on which the building is located.

e. Nothing contained herein shall be construed as to require the Village to bring any existing public sewer line to a distance within 100 feet of any existing or proposed residence or within 500 feet of any other building.

SECTION 3. PRIVATE WASTEWATER DISPOSAL.

a. Where a public sanitary sewer is not available under the provisions of Section 2.d., the building lateral shall be connected to a private wastewater disposal system complying with all regulatory provisions of the State Building Code, the Schuyler County Watershed Authority, and all other health and environmental agencies with regulatory authority. The private wastewater disposal system shall be constructed at the sole cost and expense of the owner.

b. Before commencement of construction of a private wastewater disposal system the owner shall first obtain a written digging permit signed by the Village if any digging is necessary within the Village right-of-way. The application for such permit shall be made on a form furnished by the Village, which the applicant shall supplement by any plans, specifications or other information as deemed necessary by the Village.

The Village Superintendent, or his designate, shall be permitted to inspect the construction work at any stage, without prior notice.

c. The type, capacities, location and layout of private wastewater disposal systems shall comply with all recommendations of the agencies stated in Section 3.a.

d. The owner shall operate and maintain the private wastewater disposal system in a sanitary manner at all times, at no expense to the Village, unless otherwise indicated in prior arrangements or agreements.

e. Should liquid effluent from a private wastewater system enter any watercourse, ditch, storm sewer, or water supply system located in the Village in such a manner, volume, and concentration so as to create a hazardous, or offensive condition, in the opinion of the Village or any of the agencies stated in Section 3.a, the property owner upon which the private wastewater system is located shall, within 90 days of receipt of notice from the Village, repair, rebuild, or relocate such wastewater disposal system.

f. Where a private wastewater disposal system utilizes a cesspool or septic tank, septage shall be removed by a licensed waste hauler within five-year intervals.

g. At such time that a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Section 2.d, a direct connection shall be made by the owner to the public sewer in compliance with this Local Law, and any septic tanks, cesspools, and similar private disposal facilities shall be abandoned.

h. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Health Officer, Code Enforcement Officer, Watershed Authority, New York State Department of Health, or any other Environmental Regulatory Agencies.

SECTION 4. BUILDING LATERAL AND CONNECTIONS.

a. 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 digging permit from the Village.

b. Any new installation, alteration, repair, or connection made to any building drain or lateral shall be inspected by the Village or its representative prior to backfill.

c. All costs and expense incident to the installation and connection of the building drain or lateral shall be borne by the owner. The owner shall indemnify the Village for any loss or damage that may directly or indirectly be occasioned by the installation or repair of the building drain or lateral.

d. All costs and expense incident to the repair of a building drain or lateral, when such repair is made by the Village in the interest of public health and welfare, shall be borne by the owner.

e. A separate and independent building lateral shall be provided for every building except where otherwise permitted by the Village; except where one building stands at the rear of another on an interior lot and no public sewer is available or cannot be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building lateral from the front building may be extended to the rear building and the whole considered one building lateral.

f. New laterals shall not be constructed under building basements, and buildings and/or swimming pools shall not be constructed over an existing lateral. If it is necessary to relocate a lateral for construction, plans showing the relocation shall be submitted to the Village for approval. If relocation is not physically possible the lateral shall be:

- (1) Exposed and totally encapsulated in not less than 3 inches of concrete, or
- (2) Exposed and walled, and the buildings room(s) above positively ventilated to the outdoors.

All costs relative to relocation, encapsulation, or walling and ventilating shall be the responsibility of the owner.

g. Old building laterals may be used in connection with new buildings only when they are found on examination and test by the Village to meet all requirements of this Local Law and the State Building Code.

h. The building lateral shall be constructed of PVC pipe and fittings. Sizes 4" through 15" shall be SDR-35 pipe conforming to ASTM D-3034, with rubber gasket joints conforming to ASTM D-3212 and ASTM F-477. PVC pipe and fittings in sizes 18" through 27" shall be as above except conforming to ASTM F-679. Other materials may be used only when specifically approved by the Village. Under no circumstances shall used plumbing materials be installed.

i. The size and slope of the building lateral shall be subject to the approval of the Village Code Enforcement Officer, and in no event shall the diameter be less than 4". The slope shall preferably be at least 1/4" per foot, and shall not be less than 1/8" per foot.

j. No building lateral shall be laid parallel to, or within 3 feet of any bearing wall, which may thereby be weakened. The depth shall be sufficient to afford protection from frost. The building lateral shall be laid at uniform grade and in straight alignment in so far as possible. Changes in direction shall be made with 45 degree bends; long sweep quarter bends; sixth, eighth, or sixteenth bends or a combination of these. Where the direction of flow is from the horizontal to the vertical, sanitary tees, quarter bends or one-fifth bends shall be used. A cleanout shall be installed in an accessible location inside the building, preferably just inside the basement wall. This cleanout shall contain a 45 degree branch with removable plug, and shall be positioned so that sewer cleaning equipment can be inserted therein to clean the building drain. Outside cleanouts shall be

installed on the building drain or building lateral. Additional cleanouts are required at intervals of 200 to 300 feet, at major changes of direction, or where one collection point joins another. For outside cleanout installations, a sanitary tee shall be used.

k. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such drain shall be lifted by artificial means, approved by the Village, and discharged to the building lateral.

l. All excavations required for the installation of a building lateral shall be open trench work unless otherwise approved by the Village. Pipe laying and backfill shall be performed in accordance with the Village "Standard Specifications, dated July 1995", which is available at the office of the Village Superintendent, or in his absence at the Village Wastewater Department. No backfill shall be placed until the work has been inspected and approved by the Village. It is the responsibility of the owner to properly guard and secure open trenches or pits prior to backfill. Expenses incurred for inspections requested by the owner during Village off-hours shall be reimbursed to the Village by the owner.

m. All joints and connections shall be made water-tight, using required PVC fittings or Fernco-type flexible couplings. Where flexible couplings are used the connection shall be supported at the base to avoid collapse. At least one 80 pound bag of concrete mix shall be used to surround the flexible coupling.

n. The connection of the building lateral to the public sewer shall be made at the wye branch if such branch is available at a suitable location. If no wye branch is available the owner shall, at his expense, install a wye branch in the public sewer of a type and at a location specified by the Village. If a wye branch cannot be used the owner shall, at his expense, bore through the public sewer and install a saddle wye approved by the Village. Special fittings may be used for the connections only when approved by the Village, and under no circumstances shall a protruding tap be permitted to enter the public sewer. Where flexible saddle wyes are used, at least one 80 pound bag of concrete mix shall be used to surround the flexible wye.

o. The applicant for the digging permit shall notify the Village when the building lateral is ready for inspection and connection to the public sewer. This connection shall be made under the supervision of the Village Superintendent or his representative.

p. All excavations for building lateral installation shall be in accordance with: (1) the Village "Digging Permit (Local Law No. 1 of 1997)" and (2) the Village "Standard Specifications, dated July 1995".

q. Prior to backfill, a tracer wire shall be placed over the entire building lateral and building drain. The tracer wire shall remain at the centerline of the pipe and shall terminate above ground level on the outside of the building wall. During backfill,

warning tape clearly marked “sewer” shall be placed over any exposed public sewer, building lateral, or building drain.

r. Streets, sidewalks, driveways, curbing, and other public property disturbed during excavation and construction of building laterals shall be restored in a manner satisfactory to the Village Superintendent. Costs for restoration shall be the responsibility of the owner.

SECTION 5. NEW SEWERS or SEWER EXTENSIONS.

a. New sanitary sewers and all extensions to sanitary sewers owned and operated by the Village shall be designed, by a professional licensed to practice sewer design in the State, in accordance with the Recommended Standards for Sewage Works, as adopted by the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers (“Ten State Standards”), and in conformance with all requirements of the NYS DEC. Plans and specifications shall be submitted to, and written approval shall be obtained from the Village and the NYS DEC, before initiating any construction. The design shall anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area. If there is inadequate capacity in any sewer that would convey the wastewater or if there is insufficient capacity in the wastewater treatment facility, the application shall be denied. Current use of the collection system and treatment plant shall be defined as the present use and the unutilized use which has been committed, by resolution, to other users by the Village Board of Trustees.

b. When a property owner, builder, or developer proposes to construct sanitary sewers or extensions in an area proposed for subdivision, the plans, specifications, and method of installation shall be subject to the approval of the Village, in accordance with all pertinent sections of this Law. Said property owner, builder, or developer shall pay for the entire design, installation and testing, including a proportionate share of the treatment plant, intercepting sewers, pumping stations, force mains, and all other Village expenses incidental thereto. Construction of the sewer and laterals shall be in accordance with this Law, and shall be subject to inspection by the Superintendent or his designate without prior notice. The Superintendent has the authority to require such excavation as necessary to inspect any installed facilities that were covered or backfilled before they were inspected.

c. Components and materials not covered in this Law, such as pumping stations, lift stations, or valve vaults shall be designed in accordance with Section 5.a., and shall be clearly shown and detailed on the plans and specifications submitted for approval.

d. Pipe for gravity sewers shall be:
(1) SDR-35 conforming to Section 4.h., of this Law, or

(2) Where required by the Village, Ductile Iron pipe shall be mechanical joint. Thickness shall conform to ANSI A21.50. Pipe and fittings shall be manufactured in accordance with ANSI Specification A21.51. Pipe shall have a minimum thickness of Class 52. Fittings shall conform to ANSI Specification A21.11 and have a minimum pressure class rating of 150 PSI. Pipe and fittings shall be cement mortar lined in accordance with ANSI Specification A21.4 at twice the specified thickness, and have internal and external bituminous seal coating. Closure pieces shall be jointed by means of mechanical couplings of the cast sleeve type.

e. Minimum internal pipe diameter for gravity sewers shall be eight inches. When a smaller sewer joins a larger one the invert of the larger sewer shall be lowered sufficiently to maintain the same hydraulic gradient. Piping, along its entire length, shall be supported on a minimum of six inches of Number 2 stone, free of organic material. The foundation shall be firmly tamped in the excavation. Pipe shall be laid from low elevation to high elevation with the pipe bell up-gradient. Pipe grade and alignment shall be checked and made correct. Pipe shall be in straight alignment and any negotiation of curves shall be at manholes. When site conditions require alternative pipe laying procedures such as deflecting the joint or using special fittings, prior written approval of the plans and written confirmation approval of need by the Village Superintendent shall be required after examination of the site conditions. Number 2 stone shall be placed over the laid pipe to a depth of at least six inches. The stone shall be packed around the pipe exercising care so that the pipe is not moved. The remaining portion of the trench shall be backfilled in four to six inch lifts, which shall be firmly compacted. Backfilling and compacting shall be performed in accordance with the Village "Standard Specifications, dated July 1995".

f. Gaskets shall be continuous, solid, natural or synthetic rubber, and shall provide a positive compression seal in the assembled joint.

g. Wye branch fittings, as approved by the Village Superintendent, shall be installed for each connection of a lateral to the main.

h. The trench shall be excavated only wide enough for proper installation of pipe. Allowances may be made for sheeting or dewatering. Roads, sidewalks, and curbing shall be saw cut before trench excavation is initiated.

i. Excavation shall be by open cut wherever possible. Tunneling or boring under structures other than buildings, may be permitted for crosswalks, curbs, pavements, trees, driveways, and railroad tracks. No structure shall be undercut unless specifically approved by the Village Superintendent.

j. Open trenches or pits shall be protected at all times with barricades.

k. Proper pumping devices shall be used to remove water from the trench. At no time shall the sewer line be used for removal of water from the trench.

l. Shoring and sheeting shall be used as needed to protect workers and to prevent caving. Where sheeting is used, it shall be cut off no lower than one foot above the pipe crown and no higher than one foot below final grade, and left in the trench during backfill operations.

m. Manholes shall be placed where there is a change in slope or alignment, and at intervals not to exceed 400 feet. Precast manholes, and manhole frames and covers shall be in accordance with the Village "Standard Specifications, dated July 1995". Manholes shall be constructed at minimum four foot diameter barrel sections. At grade manholes shall be used in roads or sidewalks, shall have an eccentric top section, and frames shall be set in a full bed of mortar. Grade rings shall be installed for elevation adjustment. Individual grade rings shall not exceed six inches in depth, and no more than three rings shall be used. The total height of all grade rings shall not exceed twelve inches. Manholes that extend above grade shall not have an eccentric top section, and shall have the frames cast into the manhole top plate. The top plate shall be secured to the barrel with a minimum of six, ½" corrosion resistant anchor bolts. All joints between manhole sections shall be sealed against infiltration, using o-ring rubber gaskets or butyl joint sealant completely filling the joint. Manhole bases shall be constructed or placed on a minimum of six inches of Number 2 stone free of organic materials. When, in the determination of the Village, the soil is unstable, Type 5 stone (large aggregate) meeting NYSDOT Standard Specification, Section 703-02, shall be placed prior to placing the Number 2 stone. The manhole base shall be constructed of 4,000 psi (28 day) concrete eight inches thick, or shall be precast bases properly bedded in the excavation. Field constructed bases shall be monolithic, properly reinforced. Bases shall extend at least six inches beyond the outside walls of lower manhole sections.

n. A drop of at least 0.1 foot shall be provided between incoming and outgoing sewers on all junction manholes and on manholes with bends greater than 45 degrees. Benches shall slope to the flow channel at about 1 inch per foot. The minimum depth of the flow channel shall be the nominal diameter of the smaller pipe. The flow channel shall have a smooth curvature from inlet to outlet, shall have a steel trowel finish, and shall be designed to allow the insertion of cleaning and inspection equipment at all connecting sewers.

o. Internal drop pipes inside manholes shall be SDR-35 pipe and fittings. Corrosion resistant anchors shall be used to attach the drop pipe to the inside surface of the manhole barrel.

p. Any new sanitary sewers or sewer extension, and manholes, shall be tested for infiltration before they are approved and wastewater flow is permitted. Test methods, allowable infiltration rates, test sections, and test periods shall be determined by the Village Superintendent. The property owner, builder or developer shall furnish all the necessary testing equipment, and shall be responsible for the conduct and all costs associated with the tests. The Village Superintendent shall witness all testing.

Low pressure air testing shall be performed for sewer pipe wherever possible. Sections to be tested shall be cleaned and flushed, and backfilled to final grade prior to

testing. Air shall be added until the internal pressure of the test section is raised to approximately 4.0 psig. The test shall be based on time, measured in seconds, for the air pressure to drop from 3.5 psig to 2.5 psig. Acceptance shall be based on limits tabulated in the Specification Time Required for a 1.0 psig Pressure Drop in the “Uni-Bell PVC Pipe Association’s Recommended Practice for Low Pressure Air Testing of Installed Sewer Pipe”. Procedures for this test, and Test Data Sheets are available at the offices of the Village Superintendent or Code Enforcement Officer. The pressure gauge used for this test shall have been recently calibrated and a copy of the calibration results shall be made available to the Village Superintendent prior to testing.

For manholes, vacuum testing shall be performed wherever possible. The test shall be based on time, measured in seconds, for the vacuum to decrease from 10 inches of mercury to 9 inches of mercury. Acceptance of manholes shall be based on the following:

Manhole Depth	Manhole Diameter	Time to Drop 1 inch Hg (10” to 9”)
10 feet or less	4 feet	120 seconds
10 – 15 feet	4 feet	150 seconds
15 – 25 feet	4 feet	180 seconds

For 5 foot diameter manholes, add 30 seconds to times above.

For 6 foot diameter manholes, add 60 seconds to times above.

If the manhole test fails, necessary repairs shall be made and the test repeated until the manhole passes the test. The test gauge used for this test shall have been recently calibrated and a copy of the calibration results shall be made available to the Village Superintendent prior to testing.

In lieu of low pressure air testing for sewer pipe, or vacuum testing for manholes, hydrostatic testing may be employed, as determined by the Village. For hydrostatic testing, the infiltration or exfiltration rate shall not exceed 25 gallons per 24 hours per mile per nominal diameter in inches.

A written record of all testing, on forms provided by the Village, shall be submitted to the Village Superintendent.

q. Where necessary, as determined by the Village Superintendent, pipe lamping and/or deflection testing shall be performed. Any length of pipe out of straight alignment shall be realigned. Any length of pipe with a deflection greater than 5 % shall be replaced.

r. Force mains shall be designed in accordance with Section 5.a. Force main pipe material shall be:

(1) Ductile Iron pipe shall be mechanical joint. Thickness shall conform to ANSI A21.50. Pipe and fittings shall be manufactured in accordance with ANSI Specification A21.51. Pipe shall have a minimum thickness of Class 52. Fittings shall conform to ANSI Specification A21.11 and have a minimum pressure class rating of 150 PSI. Pipe and fittings shall be cement mortar lined in accordance with ANSI Specification A21.4 at twice the specified thickness, and have internal and external bituminous seal coating. Closure pieces shall be jointed by means of mechanical couplings of the cast sleeve type.

(2) PVC pipe conforming to ASTM D2241. Minimum wall thickness shall be SDR-21. Fittings shall be gasketed joint and shall conform to ASTM D2241. Joints and gaskets shall conform to ASTM D1869 and F477.

s. Force main anchoring, concrete blocking, and/or mechanical restraint shall be provided when there is a change of direction of 7 ½ degrees or greater. Drain valves shall be placed at low points. Automatic air relief valves shall be placed at high points, and at 400 foot intervals on level force mains. Drain valves and air relief valves shall be protected from freezing.

t. All force mains shall be subjected to hydrostatic pressure of 150 % of the normal operating pressure, for a duration of at least 2 hours. Prior to the test the pipe shall be filled with water and all air shall be expelled. Water shall be added during the test to maintain the test pressure, and the amount of water added shall be recorded to calculate leakage. Leakage shall not exceed 25 gallons per 24 hours per mile per inch nominal pipe diameter. Each test section length shall be as approved by the Village Superintendent, but in no event longer than 1,000 feet. Leakage in excess of that specified shall be corrected with new material at the owner's expense, and the test repeated.

u. All sanitary sewers, extensions, and/or manholes constructed at the owner's expense shall be subject to final approval and acceptance of the Village of Watkins Glen Board of Trustees. Filing four copies of as-built drawings with the Village Superintendent shall precede acceptance. The applicant shall guarantee said sewers, after their acceptance, against defects in materials or workmanship for one year. The guarantee shall be secured by a surety bond or such other security as approved by the Village Board of Trustees.

v. Liability insurance coverage during construction shall meet all requirements of the Village of Watkins Glen.

SECTION 6. USE OF PUBLIC SEWERS.

a. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer. Cellar drains, sump pumps, or swimming pool drains shall not be connected to a sanitary sewer.

b. Storm water and any other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Village. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Village, to a storm sewer or natural outlet.

c. For properties where storm sewers are available within 100 feet of the property line or where, in the judgment of the Village, sufficient natural drainage is available, connections that contribute inflow to the sanitary sewers must be disconnected,

by a means approved by the Village, within 90 days of notice by the Village Code Enforcement Officer or Superintendent.

d. It shall be a willful violation of this Law for any person to reconnect any inflow source that has been disconnected pursuant to this section. The Village is enabled to take whatever action is necessary to determine the amount of inflow from reconnected inflow sources, and the owner shall be billed according to Section 11-A, however, the Village Board of Trustees may cause a surcharge at a rate not to exceed five times that for normal volume charges.

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

1. Any liquid or vapor having a temperature higher than 140 degrees F, a pH less than 5.5 or greater than 9.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the wastewater works.
2. Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil, grease, waxes, petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin. An approved interceptor shall be installed as stated herein for wastes containing more than 100 parts per million.
3. Any gasoline, fuel oil, kerosene, benzene, naphtha, toluene, xylene, ethers, alcohols, carbides, hydrides, sulfides or any other liquid, solid or gaseous substance which may be flammable or explosive.
4. Any garbage that has not been properly shredded.
5. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operations of the wastewater works.
6. Any waters or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment plant.
7. Any noxious or malodorous gas or substance capable of creating a public nuisance, or a hazard to life, or prevent entry into sewers for maintenance.
8. Any wastewater containing any radioactive wastes, except as approved by the Village, and in compliance with applicable State and Federal regulations.
9. Any waters or waste containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any wastewater treatment process, or which constitutes a hazard to humans or animals, or creates any hazard in the receiving waters of the wastewater treatment plant.

Waters or wastes containing certain substances shall be regulated as to the concentration limits at the point of entry into the public sewer. Prior approval of the Village shall be required for any water or waste including, but not limited to, any of the following substances: Aluminum, Antimony, Arsenic, Available Chlorine, Barium, Beryllium, Cadmium, Chlorides, Chromium, Cobalt, Copper, Cyanide-Free,

Cyanide-Complex, Fluorides, Gold, Iodine, Iron, Lead, Manganese, Mercury, Molybdenum, Nickel, PCB's, Phenol, Selenium, Silver, Sulfates, Tin, Titanium, Vanadium, Vinyl Chloride, Zinc. Limitations for these substances shall be determined by the Village.

f. Grease, oil, and sand interceptors shall be provided at the owners expense when, in the opinion of the Village, they are necessary for the proper handling of liquid waste containing grease in excessive amounts, or flammable waste, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All large commercial food establishments, school kitchens, hospitals, or clubs that prepare food shall have a grease interceptor. All interceptors shall be of a type and capacity approved by the Village and shall be located 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 temperature. They shall be of substantial construction, water-tight, and equipped with easily removable covers which, when bolted in place, shall be gas-tight and water-tight.

Where food waste grinders connect to grease traps or grease interceptors, the grease interceptor shall be sized and rated for the discharge of the food waste grinder.

Oil separators shall be required at automotive repair garages, gasoline stations with grease racks, grease pits or work racks, car washing facilities with engine or undercarriage cleaning capabilities, and at factories where oily and flammable liquid wastes are produced. The separators shall collect all oil-bearing, grease-bearing or flammable waste prior to discharge from the building lateral.

g. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation.

h. The admission into the public sewers of any water or waste having: (1) a 5-day BOD greater than 300 ppm by weight, or (2) containing more than 350 ppm by weight of suspended solids, or (3) containing any quantity of substances having the characteristics described in Section 6.e., or (4) having an average daily flow greater than 2 % of the average daily wastewater flow of the Village, shall be subject to review by the Village. Where necessary, in the opinion of the Village, the owner shall provide, at his expense, pretreatment as may be necessary to: (1) reduce the BOD to 300 ppm and the suspended solids to 350 ppm by weight, or (2) reduce the concentration limits of any substance listed in Section 6.e.9., to an amount approved by the Village, or (3) control the quantities and rates of discharge of such water or waste. Plans, specifications and other pertinent information relating to proposed pretreatment facilities shall be submitted for the approval of the Village and any health or environmental agencies with regulatory authority, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

i. Where pretreatment facilities are provided for any water or waste, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

j. When required by the Village, the owner of any property served by a building lateral carrying industrial waste shall install a suitable control manhole at a point along the lateral, on their premises, in order to facilitate observation, sampling and measurement of the waste. The manhole shall be constructed in accordance with plans approved by the Village, and the Village may require that such manhole include equipment for continuous measurement and recording of wastewater flow. The manhole and any associated equipment shall be installed and maintained by the owner at his expense, and shall be safe and accessible at all times. The User shall allow the Village Superintendent or his designated representative immediate access to the manhole, without prior notice.

k. Industrial users may be required by the Village, or State or Federal agencies, to file wastewater discharge reports and/or wastewater discharge permits. Where a permit is required, the industrial user shall comply with the terms and conditions of their permit in addition to the provisions of this Law. Violation of a permit term or condition is deemed a violation of this Law.

Industrial users required to obtain a discharge permit shall complete and file an application on a form prescribed by the Village. In support of any application, the industrial user shall submit, in units and terms appropriate for evaluation, the following information:

1. Name, address, and location.
2. SIC code of both the industry and any categorical processes.
3. Wastewater constituents and characteristics.
4. Time and duration of the discharge.
5. Average daily flow rates, and seasonal variations, if any.
6. Site plans, floor plans, mechanical and plumbing plans, and details showing all sewers, sewer connections, and appurtenances.
7. Description of activities, facilities, and plant processes on the premises, including all materials that are or could be discharged to the sewers.
8. Each product produced by type, amount, process, rate of production.
9. Type and amount of raw materials processed (ave. & max. per day).
10. Number and type of employees, hours of operation, and proposed hours of operation of the pretreatment system.
11. The nature and concentration of any pollutants in the discharge which are limited by any Village, State, or Federal Standards, and a statement specifying how the standards will be met on a consistent basis.
12. Any other information as may be deemed by the Village to be necessary to evaluate the permit application.

Wastewater Discharge Permits may contain the following:

1. Flow limitations or flow regulation and equalization.
2. Limits on average and maximum wastewater constituents and characteristics, including concentration or mass discharge limits.
3. The unit charge or schedule of user charges and fees.

4. Specifications for monitoring programs that may include sampling locations & frequency, number, types, and standards for tests, and reporting schedules.
5. Compliance schedules.
6. Requirements for submission of technical reports or discharge reports.
7. Requirements for maintaining and submission of records relating to wastewater discharge, and affording the Village access thereto.
8. Requirements for notifying the Village of any new introduction of wastewater constituents or of any substantial change in the volume or character of the wastewater discharged, or of any change in the manufacturing and/or pretreatment process used.
9. Requirements for notification of excessive or accidental discharges.

10. Other conditions as deemed appropriate by the Village to ensure compliance with this Law, and State and Federal laws or regulations.

Wastewater discharge permits shall be issued for a specified time period, not to exceed five years. A permit may be issued for a period less than five years.

Wastewater discharge permits shall not be reassigned, transferred, or sold to a new owner, new user, different premises, or new or changed operation.

A discharge permit may be revoked for the following reasons: falsifying reports; tampering with monitoring equipment; refusing to allow the Village Superintendent timely access to the industrial premises; failure to meet effluent limitations; failure to report significant changes in operations or wastewater constituents and characteristics; failure to pay fines; failure to pay user charges; and failure to meet compliance schedules.

l. In lieu of a wastewater discharge permit, industrial users may be required to file and submit wastewater discharge reports. The Village may impose reporting requirements equivalent to the requirements stated above for wastewater discharge permits. Discharge limitations may be imposed for flow, and any wastewater constituents or characteristics limited or regulated by this Law.

m. If sampling indicates a violation of this Law and/or the User's discharge permit, the User shall notify the Village Superintendent within 24 hours of becoming aware of the violation.

n. Accidental discharges of wastes in violation of this Law or any permit, which may be caused by a breakdown of pretreatment equipment, accidents due to mechanical failure or negligence, or other causes, shall be immediately reported to the Village Superintendent by telephone, which may allow the Superintendent to initiate appropriate countermeasure action at the wastewater treatment plant. The User shall also prepare a detailed written statement which describes the causes of the discharge and the measures being taken to prevent further occurrences, within five days of the occurrence.

o. All measurements and analyses of the characteristics of water and waste to which reference is made in Section 6.e, and 6.h., shall be determined in accordance with

“Standard Methods for the Examination of Water and Wastewater”, latest edition, and shall be determined at the control manhole provided for in Section 6.j., or upon suitable samples taken at the manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer from the point where the building lateral is connected.

All analyses shall be performed by a laboratory certified by NYSDOH to perform the analyses.

All costs associated with sampling and analyses are the responsibility of the User.

p. Limitations on wastewater strength or mass discharge contained herein may be supplemented with more stringent limitations when, in the opinion of the Village, the limitations are not sufficient to enable the wastewater treatment plant to comply with applicable effluent limitations specified in the SPDES permit; or if the limitations will render the wastewater treatment plant solids unacceptable for disposal as the Village desires; or if the limitations are not sufficient to protect municipal employees or the public from danger.

q. No statement in this section shall be construed as to prevent any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefore by the industrial concern.

SECTION 7. INDUSTRIAL COST RECOVERY.

a. The Village will cooperate with the Federal Government, its departments or agencies, in meeting the requirements of industrial cost recovery as required by the government, the departments or the agencies.

b. It will be mandatory for any present or future industrial users to participate in the industrial cost recovery requirements of the Federal Government. The industrial users must comply with the statutes, rules and regulations of the Federal Government and its departments and agencies as they pertain to industrial cost recovery and must work with the Village in so complying.

SECTION 8. PROTECTION FROM DAMAGE.

No person shall maliciously, willfully or with criminal negligence break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the Village wastewater works. Any person violating this provision shall be liable to prosecution for criminal mischief as provided in the Penal Law of the State of New York.

SECTION 9. PENALTIES.

a. Any person found to be violating any provision of this Local Law, except Section 8, or any permit or agreement issued hereunder, shall be served by the Village

with written notice stating the nature of the violation and providing a reasonable time limit, as determined by the Village, for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

b. Any person who shall continue any violation beyond the time limit provided for in Section 9.a., shall be liable to prosecution of charges as provided in the Penal Law for Violations, and shall be subject to the fines and penalties prescribed by the Penal Law for Violations. Each day in which any such violation shall continue shall be deemed a separate offense.

The Village reserves the right to issue an administrative order to cease and desist all such violations and direct those persons in noncompliance to:

1. Comply forthwith.
2. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or terminating the discharge.

The Village further reserves the right to sever water service to a User that continues to violate the provisions of this Law, a discharge permit, an agreement, or an administrative order. Water service will recommence, at the User's expense, only after the User satisfactorily demonstrates its ability to comply.

c. Any person violating any of the provisions of this Local Law shall become liable to the Village for any expense, loss or damage occasioned the Village by reason of such violation.

d. Upon receipt of an administrative order, notification of fines, termination of a permit, or water supply severance, the User may, within fifteen days, petition the Village to modify or suspend the order, modify or suspend fines, reinstate the permit, or reconnect the water supply service. Such petition shall be in written form and shall be transmitted to the Village Superintendent by registered mail. The Superintendent shall then:

1. Reject any frivolous petitions,
2. Modify or suspend an administrative order or fines, reinstate a permit, reconnect a water supply, or
3. Order the petitioner to show cause in accordance with Section 9.e., and may as part of the show cause notice request the User to supply additional information.

e. The Village may order any User appealing administrative remedies for violations of this Law to show cause, before the Village Board of Trustees, why an enforcement action should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held by the Village Board regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause before the Village Board why the proposed enforcement action should not be taken. The notice of the hearing shall be served at least ten days before the hearing.

The Village Board may itself conduct the hearing, or may designate any of its members or any officer or employee of the Village to conduct the hearing. After the Village Board has reviewed hearing evidence and testimony, it may order the User to comply with the administrative order or fine, modify the order or fine, or vacate the order or fine.

SECTION 10. POWERS AND AUTHORITY OF INSPECTORS.

a. The Village or its duly authorized employees and representatives of Federal or State regulatory agencies bearing proper credentials and identification shall be permitted to enter upon all properties at all times for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Local Law.

b. The Code Enforcement Officer of the Village of Watkins Glen shall have the responsibility and authority to enforce this Local Law.

SECTION 11-A. SEWER USER RATES.

a. A sewer user charge is hereby established for each unit having a sewer service available and connected to the Village sewer system.

b. Each sewer connection shall be considered one unit, whether it be a single family residence, apartment, rooming house, restaurant, hotel, trailer, commercial, industrial or institutional establishment.

c. Sewer user charges shall be assessed against each unit based on the cubic feet, or gallons of water consumed by said unit on a monthly basis, which charge shall be billed on a monthly basis. The charge for each unit which is located within the geographical boundaries of the Village of Watkins Glen shall be as stated on Schedule A, and as may be from time-to-time amended by resolution of the Board of Trustees of the Village. Monthly sewer user charges for each unit that is located outside of the geographical boundaries of the Village will be as agreed upon in writing between the Village and the owner of the unit or the Sewer District within which the unit is located.

d. Establishments using water not entering the sanitary sewer will not be charged for such sewer usage where separate water meters are provided. Where unmetered well water or water from any source other than the Village is used, and discharged to the public sewer, an estimate of the water used will be made and charges shall be in accordance with Schedule A.

e. All sewer user charges shall constitute a lien upon the real property upon which they are imposed, as may be in accordance with Article 14 Section 1400 of the General Municipal Law of the State of New York.

SECTION 11-B. SEWER RENTS.

a. A sewer rent is hereby established for each unit having a sewer service available and connected to a structure on the property. In the event of a disconnection for a period in excess of 90 days, sewer rents shall cease to be charged for the subject property. Upon connection or reconnection, a fee shall be charged to the property owner in an amount from time-to-time determined by resolution of the Board of Trustees of the Village.

b. The monthly sewer rental charge for each unit which is located within the geographical boundaries of the Village of Watkins Glen shall be as stated on Schedule A, as may be from time-to-time amended by resolution of the Board of Trustees of the Village. Monthly sewer rental charges for each unit that is located outside of the geographical boundaries of the Village will be as agreed upon in writing between the Village and the owner of the unit or the Sewer District within which the unit is located. The charges herein provided for shall be payable as part of the monthly billing of the user.

c. The rents hereby established are in addition to the sewer user charges established by Section 11-A of this Local Law.

d. The sewer rental charge shall be for the benefit of the public sewer of the Village of Watkins Glen, New York and each and every part thereof together with the necessary appurtenances thereto including, but not by way of limitation, pumping stations and a wastewater treatment plant.

e. All sewer rental charges shall constitute a lien upon the real property upon which they are imposed, as may be in accordance with Article 14 Section 1400 of the General Municipal Law of the State of New York.

SECTION 11-C. LATE PAYMENT PENALTIES.

a. There will be a late payment penalty for all sewer user rate charges and sewer rent charges which are not paid by the date as shown on the billing statement.

b. The amount of the penalty shall be as stated on Schedule A, and as may be from time-to-time amended by resolution of the Board of Trustees of the Village.

c. All sewer user rate and sewer rental penalties charged pursuant hereto shall constitute a lien upon the real property upon which they are imposed, as may be in accordance with Article 14 Section 1400 of the General Municipal Law of the State of New York.

SECTION 12. INTER-MUNICIPAL AGREEMENTS.

The Village of Watkins Glen Board of Trustees, on the recommendation of the Superintendent, shall have the authority to enter into agreements to accept wastewater, including industrial wastes, generated by or discharged from persons, Villages, or Townships outside the service area of the Village.

The acceptance of wastes from persons shall be made by written agreement, issued by the Village, setting forth the terms and conditions of such acceptance.

When wastes are accepted from a Village or Township, that municipality shall have enacted a Sewer Use Law as restrictive on the discharge of wastewater and other wastes as the restrictions contained in this Law.

SECTION 13. VALIDITY.

- a. Ordinance 144 is hereby repealed.
- b. Ordinance 152 is hereby repealed.
- c. Local Law No. 3 of 1998 is hereby repealed.
- d. The provisions of any Village Law in conflict with any provision of this Law are hereby repealed.
- e. The invalidity of any section, clause, sentence or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such invalid part or parts.

SECTION 14. EFFECTIVE DATE.

This Local Law shall be in full force and effect immediately upon filing in the Office of the Secretary of State.

SCHEDULE A

RATES EFFECTIVE FOR METERS READING CUBIC FEET:

SEWER USER RATES (SECTION 11-A)

0 - 300 CUBIC FEET MINIMUM CHARGE PER MONTH = \$9.50

OVER 300 CUBIC FEET PER MONTH = \$3.85 PER 100 CU. FT.

SEWER RENTS (SECTION 11-B)

EACH UNIT = \$5.00 PER MONTH

LATE PAYMENT PENALTIES (SECTION 11-C)

ONE TIME 10 % COMPUTED ON THE DELINQUENT SEWER USER RATES AND SEWER RENTS

RATES EFFECTIVE FOR METERS READING GALLONS:

SEWER USER RATES (SECTION 11-A)

0 - 2,250 GALLONS MINIMUM CHARGE PER MONTH = \$9.50

OVER 2,250 GALLONS PER MONTH = \$3.85 PER 750 GALLONS

SEWER RENTS (SECTION 11-B)

EACH UNIT = \$5.00 PER MONTH

LATE PAYMENT PENALTIES (SECTION 11-C)

ONE TIME 10 % COMPUTED ON THE DELINQUENT SEWER USER RATES AND SEWER RENTS

These rates may be from time-to-time amended by resolution of the Board of Trustees of the Village of Watkins Glen.

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

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 8 of 2003 of the ~~(County)(City)(Town)~~(Village) of Watkins Glen Village Board on December 2003 in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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

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

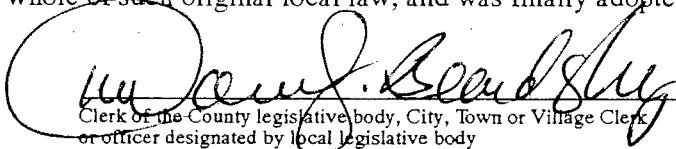
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

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

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


Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

DONNA J. BEARDSLEY, Village Clerk

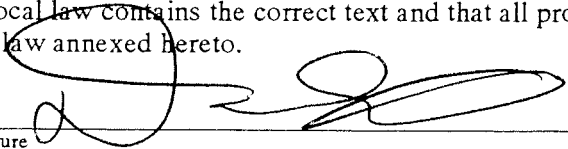
Date: December 18, 2003

(Seal)

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

STATE OF NEW YORK
COUNTY OF Schuyler

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


Signature

DAVID H. EALY
VILLAGE ATTORNEY

Title

~~County~~
~~City~~ of Watkins Glen, New York
~~Town~~
Village

Date: 12/18/03