

## Chapter 207

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[HISTORY: Adopted by the Board of Trustees of the Village of St. Johnsville 1-14-1986 by L.L. No. 2-1986<sup>1</sup> Amendments noted where applicable.]

1. Editor's Note: An unnumbered paragraph at the beginning of this chapter provides as follows: "Purpose. This chapter sets forth the uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the Village of St. Johnsville, New York, and enables the Village to comply with all applicable state and federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR Part 403) of 1978. Except as otherwise provided herein, the Village shall administer, implement, and enforce the provisions of this chapter."

## GENERAL REFERENCES

Sewer rents — See Ch. 204.

Water — See Ch. 261.

ARTICLE I  
Terminology**§ 207-1. Definitions and word usage.**

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

**BIOCHEMICAL OXYGEN DEMAND (BOD)** — The quantity of oxygen utilized in biochemical oxidation of organic matter under standard laboratory procedure in five days of 20° expressed in milligrams per liter.

**BOARD** — The governing Board or Council of the municipality.

**BUILDING DRAIN** — That part of the lowest horizontal piping of a drainage system which receives discharge from soil, waste, and other drainage pipes inside walls of the building and conveys it to the building sewer beginning five feet outside the inner face of the building wall.

**BUILDING SEWER** — The extension from the building drain to the public sewer or other place of disposal, also called “house connection.”

**COMBINED SEWER** — A sewer intended to receive both wastewater and storm- or surface water.

**CONTAMINATION** — An impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health through poisoning or through spread of disease.

**EASEMENT** — An acquired legal right for specific use of land owned by others.

**FLOATABLE OIL** — Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and does not interfere with the collection system.

**GARBAGE** — Animal and vegetable wastes resulting from handling, preparation, cooking, and serving of foods.

**INDUSTRIAL WASTES** — Wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

**MAY** — Is permissive (see “shall”).

**MUNICIPALITY** — The political entity as set forth in this chapter.

**NATIONAL CATEGORICAL PRETREATMENT STANDARD** — Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. § 1347) which applies to a specific category of industrial users.

**NATURAL OUTLET** — Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or ground water.

**NYSDEC** — The New York State Department of Environmental Conservation or duly authorized official of said Department.

**OPERATOR** — The chief operator of the wastewater treatment plant of the municipality.

**PERSON** — Any individual, firm, company, association, society, corporation, or group.

**pH** — The reciprocal of the logarithm of hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7.0 and a hydrogen-ion concentration of  $10^{-7}$ .

**POLLUTION** — The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

**POTW** — A publicly owned treatment works.

**POTW TREATMENT PLANT** — That portion of a POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

**PRETREATMENT** — The reduction of the amount of pollutants, elimination of pollutants, or alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes, process changes, or by other means, except as prohibited by 40 CFR 403.6, General Pretreatment Regulations for Existing and New Sources of Pollution.

**PROPERLY SHREDDED GARBAGE** — Wastes from the preparation, cooking, and dispensing of food, which has been shredded to such degree that all particles will be carried freely under flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

**PUBLIC SEWER** — A common sewer controlled by a governmental agency or public utility.

**SANITARY SEWER** — A sewer that carries liquid- and water-carried wastes from residences, commercial buildings, industrial, plants, and institutions, together with minor quantities of ground-, storm-, and surface waters that are not admitted intentionally.

**SEWAGE** — The spent water of a community. The preferred term is "wastewater."

**SEWER** — A pipe or conduit which carries wastewater or drainage water.

**SEWER INSPECTOR** — Any person appointed by the Board to act as the Board's authorized agent in matters falling under this chapter and who shall exercise those powers delegated to him by the Board.

**SHALL** — Is mandatory (see "may").

**SLUG** — Any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, for any period of duration longer than 15 minutes, exceeds more than five times the average twenty-four-hour concentration of flows during normal

operation, and shall adversely affect the collection system and/or performance of the wastewater treatment works.

**STORM DRAIN or STORM SEWER** — A drain or sewer conveying water, groundwater, subsurface water, or unpolluted water from any source.

**SUPERINTENDENT** — The Superintendent of Public Works, or other person designated to take responsible charge of wastewater facilities of the municipality, or his authorized deputy, agent, or representative, within the specific authority established by the Board.

**SUSPENDED SOLIDS** — Total suspended matter which either floats on the surface of, or is suspended in, water, wastewater, or other liquids, and is removable by laboratory filtering as prescribed in “Standard Methods for the Examination of Water and Wastewater” and referred to as “nonfilterable residue.”

**UNPOLLUTED WATER** — Water of quality equal to, or better than, the effluent criteria in effect, or water which would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

**USEPA** — The United States Environmental Protection Agency or duly authorized official of said Agency.

**WASTEWATER** — Spent water of a community. From the standpoint of source, it may be a combination of liquid- and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

**WASTEWATER FACILITIES** — Structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes, and dispose of the effluent.

**WASTEWATER TREATMENT WORKS** — An arrangement of devices and structures for treating wastewater, industrial wastes, and sludge, sometimes used as synonymous with “waste treatment plant” or “wastewater treatment plant” or “water pollution control plant.”

**WATERCOURSE** — A natural or artificial channel for passage of water either continuously or intermittently.

## ARTICLE II

### Use of Public Sewers Required

#### § 207-2. Unlawful deposit of objectionable waste.

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

**§ 207-3. Unlawful discharge of wastewater.**

It shall be unlawful to discharge to any natural outlet within the municipality, or in any area under the jurisdiction of said municipality, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

**§ 207-4. Unlawful privies, septic tanks and cesspools.**

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 disposal of wastewater.

**§ 207-5. Connection to public sewer required.**

The owner(s) of any house, building, or property used for human occupancy, employment, recreation, or other purposes, situated within the municipality and abutting on any street, alley, or right-of-way in which there is now located, or may be located in the future, a public sanitary or combined sewer of the municipality, is hereby required, at the owner's expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with provisions of this chapter, within 90 days after date of official notice to do so, provided said public sewer is within 100 feet of the property line.

ARTICLE III  
**Private Wastewater Disposal**

**§ 207-6. Authorized connections.**

Where a public sanitary or combined sewer is not available under provisions of Article II, § 207-5, the building sewer shall be connected to a private wastewater disposal system complying with provisions of this article.

**§ 207-7. Permit required.**

Before commencing construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the Superintendent. Application for such permit shall be on a form furnished by the municipality, which the applicant shall supplement by any plans, specifications, and other information deemed necessary by the Superintendent.

**§ 207-8. Inspections.**

A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered.

**§ 207-9. Compliance with state regulations.**

Type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations of the New York State Department of Environmental Conservation. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

**§ 207-10. Connection required upon availability of public sewer.**

At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Article II, § 207-5, a direct connection shall be made to the public sewer within 90 days in compliance with this chapter, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

**§ 207-11. Sanitary operation.**

The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the municipality.

**§ 207-12. Interpretation.**

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer of the municipality or the New York State Department of Environmental Conservation.

ARTICLE IV  
**Building Sewers and Connections**

**§ 207-13. Permit required.**

No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first applying to the Village office to obtain a written permit from the Superintendent.

**§ 207-14. Classes of building sewer permits.**

A. There shall be three classes of building sewer permits:

- (1) For residential service;
- (2) For commercial service;
- (3) For service to establishments producing industrial wastes.

B. In each case, the owner(s) or his agent shall make application on a special form furnished by the municipality. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent.

**§ 207-15. Costs and liability to be borne by owner.**

All costs and expenses incidental to installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the municipality from any loss or damage that may directly or indirectly be occasioned by installation of the building sewer.

**§ 207-16. Separate building sewer required.**

A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. The municipality does not, and will not, assume an obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

**§ 207-17. Use of old building sewers.**

Old building sewers may be used to connect with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this chapter.

**§ 207-18. Materials, design and methods.**

Size, slope, alignment, materials of construction of a building sewer, and the methods used in excavating, placing the pipe, jointing, testing, and backfilling the trench, shall all conform to requirements of the building and plumbing code or other applicable rules and regulations of the municipality. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and Water Pollution Control Federation (WPCF) Manual of Practice No. 9 shall apply.

**§ 207-19. Elevation below basement floor.**

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer, at the expense of the owner.

**§ 207-20. Unlawful connections.**

No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the Superintendent for purposes of disposal of polluted surface drainage.



**§ 207-21. Connections to public sewer.**

Connection of the building sewer into the public sewer shall conform to requirements of the building and plumbing code or other applicable rules and regulations of the municipality, or the procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

**§ 207-22. Readiness for inspection and connection.**

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 and testing shall be under the supervision of the Superintendent or his representative.

**§ 207-23. Excavations.**

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 municipality.

**ARTICLE V  
Use of Public Sewers**

**§ 207-24. Unlawful discharges.**

No person(s) shall discharge, or cause to be discharged, any unpolluted waters such as stormwater, ground water, roof runoff, subsurface drainage, or cooling water to any sewer, except that stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the Superintendent.

**§ 207-25. Discharge of stormwater and unpolluted drainage.**

Stormwater other than that exempted under § 207-25, Article V, and all other unpolluted drainage, shall be discharged to sewers specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent and other regulatory agencies. Unpolluted industrial cooling or process waters may be discharged, on approval by the Superintendent, to a storm sewer, combined sewer, or natural outlet, following issuance of an SPDES permit and subject to state and federal regulations.

**§ 207-26. Prohibited discharges.**

No person(s) shall discharge, or cause to be discharged, any of the following described waters or wastes to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- B. Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in receiving waters of the wastewater treatment plant, including, but not limited to, cyanides in excess of two milligrams per liter, as CN in wastes discharged to the public sewer.
- C. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
- D. Solid or viscous substances in quantities or sizes capable of causing obstruction to the flow in sewers, or other interference with proper operation of the wastewater facilities, such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, either whole or ground by garbage grinders.

**§ 207-27. Limitation on certain discharge.**

The following described substances, materials, waters or waste shall be limited, in discharges to municipal systems, to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, have an adverse effect on the receiving stream, or otherwise endanger lives, limb, public property, or constitute a nuisance. The Superintendent and/or operator may set lower limitations than those established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to acceptability, the Superintendent and/or operator will consider such factors as quantity of subject waste in relation to flows and velocities in the sewer, materials of construction of the sewers, wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. Limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Superintendent are as follows:

- A. Wastewater having a temperature higher than 104° Fahrenheit (40° Celsius).
- B. Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
- C. Wastewater from industrial plants which contains floatable oils, fat, or grease.
- D. Any garbage not properly shredded (see definition of "properly shredded garbage" in Article I, § 207-1). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from preparation of food in kitchens for consumption on the premises or when served by caterers.

- E. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances, to such degree that such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the operator for such materials.
- F. Any waters or wastes containing phenols or other taste- or odor-producing substances exceeding limits established by the Superintendent and/or operator.
- G. Radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent and/or operator in compliance with applicable state or federal regulations.
- H. Quantities of flow, concentrations, or both, which constitute a slug (see definition of "slug" in Article I, § 207-1).
- I. Waters or wastes containing substances not amenable to treatment or reduction by the wastewater treatment processes employed, or amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet requirements of other agencies having jurisdiction over discharge to receiving waters.
- J. Water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

**§ 207-28. Pretreatment, control or rejection of certain waters and wastes.**

- A. If any waters or wastes are discharged, or proposed to be discharged, to the public sewers, which waters contain substances or possess characteristics enumerated in § 207-27 of this article and which, in the judgment of the Superintendent and/or operator, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or otherwise create a hazard to life or constitute a public nuisance, the Superintendent and/or operator may:
  - (1) Reject the wastes.
  - (2) Require pretreatment to an acceptable condition for discharge to the public sewers.
  - (3) Require control over quantities and rates of discharge.
  - (4) Require payment to cover added cost of handling and treating wastes not covered by existing taxes or sewer charges under provisions of § 207-33 of this Article.
- B. If the Superintendent and operator permit pretreatment or equalization of waste flows, the design and installation of pretreatment or equalization plants and equipment shall be subject to their review and approval.

**§ 207-29. Grease, oil and sand interceptors.**

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent and/or operator, they are necessary for proper handling of liquid wastes containing floatable

grease in excessive amounts, as specified in § 207-27C, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and located so as to be readily and easily accessible for cleaning and inspection. In maintaining these interceptors, the owner(s) shall be responsible for proper removal and disposal, by appropriate means, of the captured material and shall maintain records of dates and means of disposal which shall be subject to review by the Superintendent. Any removal and hauling of collected materials which is not performed by owner(s) personnel must be done by waste disposal firms approved by the municipality.

**§ 207-30. Maintenance of pretreatment and flow-equalizing facilities.**

Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

**§ 207-31. Structures for observation, sampling and measuring wastes.**

When required by the Superintendent and/or operator, the owner of property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measuring of the wastes. Such structure, when required, shall be accessibly and safely located and constructed in accordance with plans approved by the Superintendent. The structure shall be installed by the owner at his expense and maintained by him so as to be safe and accessible at all times.

**§ 207-32. Standards for measurements, tests and methods.**

Measurements, tests, and analyses of characteristics of waters and wastes, as referred to in this chapter, shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies shall be determined on an individual basis, subject to approval by the Superintendent and/or operator.

**§ 207-33. Special agreements.**

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the municipality and any industrial concern whereby an industrial waste of unusual strength or character may be accepted for treatment by the municipality, subject to payment therefor, by the industrial concern. However, no special agreements shall circumvent National Categorical Pretreatment Standards.

ARTICLE VI  
**Protection From Damage**

**§ 207-34. Damaging or tampering with facilities prohibited.**

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

ARTICLE VII  
**Powers and Authority of Inspectors**

**§ 207-35. Right of entry.**

The Superintendent and other duly authorized employees of the municipality, and representatives of USEPA and NYDEC, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with provisions of this chapter.

**§ 207-36. Confidential information.**

The Superintendent and/or operator or other duly authorized employees are authorized to obtain information concerning industrial processes having direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential but must establish that revelation to the public of the information in question might result in an advantage to competitors.

**§ 207-37. Observation of safety rules; corporate indemnity.**

While performing necessary work on private properties referred to in Article VII, § 207-35 above, the Superintendent or duly authorized employees of the municipality shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the municipal employees. The municipality shall indemnify the company against loss or damage to its property by municipal employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, § 207-31.

**§ 207-38. Entry through easement.**

The Superintendent and other duly authorized employees of the municipality, bearing proper credentials and identification, shall be permitted to enter all private properties through which

the municipality holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with terms of the duly negotiated easement pertaining to the private property involved.

## ARTICLE VIII

### Fees

#### § 207-39. Residential wastewater disposal permit. <sup>2</sup>

A permit and inspection fee as set from time to time by resolution of the Board of Trustees shall be paid to the municipality at the time the application is filed for a private (residential) wastewater disposal system permit under Article III, § 207-7, of this chapter.

#### § 207-40. Commercial building sewer permit. <sup>3</sup>

A permit and inspection fee as set from time to time by resolution of the Board of Trustees shall be paid to the municipality at the time the application is filed for a commercial building sewer permit under Article IV, § 207-14, of this chapter.

#### § 207-41. Industrial building sewer permit. <sup>4</sup>

A permit and inspection fee as set from time to time by resolution of the Board of Trustees shall be paid to the municipality at the time the application is filed for an industrial building sewer permit under Article IV, § 207-14, of this chapter.

## ARTICLE IX

### Penalties and Enforcement

#### § 207-42. Written notice of violation.

Any person found violating any provision of this chapter except Article VI shall be served by the municipality with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

#### § 207-43. Penalties for offenses. <sup>5</sup>

Any person who shall continue any violation beyond the time limit provided for in Article IX, § 207-42, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined by the

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2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

court separately in an amount not to exceed \$1,000 or shall be imprisoned for not more than one year, or both, and may be subject to a civil penalty in the amount not to exceed \$300 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

**§ 207-44. Liability for expenses, losses and damages.**

In addition, any person violating any of the provisions of this chapter shall become liable to the municipality for any expense, loss or damage occasioned to the municipality by reason of such violation.

**§ 207-45. Penalties for false documentation or tampering with monitoring devices.**

Any person who knowingly makes any false statements, representation, record, report, plan, or other documentation filed with the municipality or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be punished by a fine of not more than \$1,000 or by imprisonment for not more than six months, or by both, for a first offense and by a fine not to exceed \$5,000 for any subsequent offense.

ARTICLE X  
Industrial Wastes <sup>6</sup>

**§ 207-46. Pretreatment required; access to facilities.**

- A. It shall be unlawful for any person and/or commercial, industrial, or business concern (herein called "contributor") to discharge any industrial wastes into any section of the sanitary sewers except where treatment has been provided prior to discharge in accordance with Federal Environmental Protection Agency Rules and Regulations promulgated pursuant to Section 307 of the Federal Water Pollution Control Act, as amended, and to a degree satisfactory to the municipal Board. Design and construction of pretreatment facilities shall be subject to review and approval by the Village Superintendent.
- B. Persons or occupants of premises where wastewater is produced or discharged shall allow the municipality or its representative ready access at all times to all parts of the premises for the purpose of inspection or sampling or the performance of any of their duties. The municipality shall have the right to set up on the user's property such devices as are necessary to conduct sampling or metering operations. The municipality may at reasonable times have access to, and copy, any records, inspect any monitoring equipment or method required by the municipality's wastewater discharge ordinances, and sample any effluents which the owner or operator of such source is required to sample.

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6. Editor's Note: The preamble of this article, which was originally designated as Part II, provides as follows: "This provision relating to industrial waste has been designated Part II of this law for convenience of classification. It is, nevertheless, a part of this chapter and all other applicable provisions of this chapter, including, but not limited to, provisions relating to the administration and enforcement thereof, are made applicable to this Part II."

- C. Where a user has security measures in force, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the municipality will be permitted to enter without delay. Access to the pretreatment facilities shall also be granted to representatives of the New York State Department of Environmental Conservation and the United States Environmental Protection Agency.

**§ 207-47. Costs to borne by contributor.**

All costs of constructing, operating, and/or maintaining pretreatment or flow equalizing facilities, as mentioned in subsequent provisions of this article, shall be borne by the contributor.

**§ 207-48. Permit requirements.**

- A. Wastewater originating from any industrial or commercial operation shall not be discharged into the sanitary sewer without a valid permit issued by the municipality for such discharge.
- B. The permit will be issued for a two-year period and must be periodically renewed. The permit will identify the quality and quantity of waste that may be discharged. The permit may not be transferred or reassigned.
- C. The permit holder shall apply for a permit modification if the quantity or quality of the discharge will change from that specified in the permit.
- D. The permit may be revoked by the municipality for any of the following reasons:
- (1) Discharge is not in compliance with permit limits.
  - (2) Noncompliance with this Chapter 207, Sewer Use.
  - (3) Nonpayment of sewer bills.

**§ 207-49. Discharge requirements.**

Industrial waste discharge shall meet all requirements of Article V of this chapter.

**§ 207-50. Subsurface disposal facilities.**

It shall be unlawful, except by special permission of the municipal Board, to construct or maintain any septic tank, cesspool, or other subsurface disposal facility intended or used for disposal or treatment of industrial wastes. Such subsurface disposal facility shall meet all applicable federal and state regulations.



**§ 207-51. Sampling.**

- A. Each industrial user shall construct, or otherwise have available, a sampling point for sampling wastewater before it enters the municipal sewer system. This sampling point shall be a suitable structure, together with such necessary meters and other appurtenances to the building sewer, to facilitate observation, sampling, and measurement of the wastes. Such structure shall be accessibly and safely located, constructed in accordance with plans, and approved by the municipality. The structure shall be maintained by him so as to be safe and accessible at all times.
- B. All measurements, tests, and analyses of the characteristics of waters and wastes, to which reference is made in this chapter, shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples (as prescribed by the operator) taken at the said control manhole.

**§ 207-52. Exclusion of certain wastes.**

Where, in the opinion of the operator, wastes will have a detrimental effect upon either the sanitary sewer system or the receiving stream, they shall be completely excluded from the sewerage system. In forming his opinion as to the acceptability of these wastes, the operator shall consider such factors as quantities of detrimental wastes in relation to flows and velocities in sewers, materials of construction of sewers, nature of the wastewater treatment process, wastewater treatment plant capacity, degree of treatability of the wastes, and other pertinent factors.

- A. Among inadmissible wastes are those included in Article V, § 207-26; and any water or wastes containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l, or containing substances which may solidify or become viscous at temperatures between 32° F. and 150° F. (or 0° to 65° C.)
- B. There are numerous other wastes which are inadmissible to the sewers when certain objectionable characteristics are excessive in degree. These are generally included in subsequent provisions of this article for determining maximum limits for pretreatment by contributors.

**§ 207-53. Effluent concentration limits.**

Any wastes with characteristics which may be detrimental to either the sewerage system or the receiving stream, as determined by the operator, shall be pretreated by the contributor. Method of pretreatment shall be approved by the operator. Discharges to the sanitary sewer system shall not contain concentrations exceeding the following limits at the point of entry to the system:

**Effluent Concentration Limits  
(mg/l)**

<b>Parameter</b>	<b>30-Day Average</b>	<b>24-Hour Average</b>
Cadmium	0.4	0.8
Hex. chromium	0.2	0.4
Total chromium	4.0	8.0
Copper	0.8	1.6
Lead	0.2	0.4
Mercury	0.2	0.4
Nickel	4.0	8.0
Zinc	1.2	2.4
Arsenic	0.2	0.4
Available chlorine	50.0	50.0
Cyanide - free	0.4	0.8
Cyanide - complex	1.6	3.2
Selenium	0.2	0.4
Sulfide	6.0	12.0
Barium	4.0	8.0
Manganese	4.0	8.0
Gold	0.2	0.4
Silver	0.2	0.4
Fluorides - to fresh water	4.0	8.0
Phenol	4.0	8.0

**§ 207-54. Discharge rates.**

Extreme variation in the discharge rate may be a limiting factor in handling of industrial wastes. Maximum discharge rates shall be established by the operator for each point of connection, subject to revision as conditions require.

**§ 207-55. Documentation required.**

Industries, determined and notified by the operator to be significant industrial users, shall submit to the operator, on June 1 and December 1 of each year, the following:

- A. Specific actions taken to achieve compliance with both Section 307 of the Act and state-mandated pretreatment requirements.
- B. Information sufficient for the permittee to complete and submit an industrial data sheet for each industry, including but not limited to volume, constituents, and characteristics of wastewater; flow rates; each product produced, by type, amount, and rate of production; and description of activities, facilities and plant process on the premises, including all materials processes and types of materials which are, or could be discharged.

**§ 207-56. Protection from accidental discharge.**

Detailed plans showing facilities and operating procedures to provide protection from accidental discharge of prohibited materials or other wastes regulated by this chapter shall be submitted to the municipality for review and shall be acceptable to the municipality before construction of the facility.

**§ 207-57. Entry points.**

Any direct or indirect connection or entry point for persistent or deleterious wastes to the user's plumbing or drainage system should be eliminated. Where such action is impractical or unreasonable, the user shall appropriately label such entry points to warn against discharge of such wastes in violation of this chapter.

**§ 207-58. Notification of accidental discharge.**

Each user shall notify the municipality immediately upon accidental discharge of wastes in violation of this chapter. This notification shall be followed, within 15 days of the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and measures being taken to prevent future occurrence. Such notification shall not relieve users of liability for any expense, loss, or damage to the sewer system, treatment plant, or treatment process, or for any fines imposed on the municipality under applicable state and federal regulations.

**§ 207-59. Posting of contact in case of accidental discharge.**

A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge in violation of this chapter.

**§ 207-60. Cease and desist order.**

The municipality is authorized to issue an order to cease and desist and direct those persons not complying with such prohibitions, limits, requirements, or provisions of this chapter or the wastewater discharge permit to:

- A. Comply forthwith; or
- B. Comply in accordance with a time schedule set forth by the municipality; or
- C. Take appropriate remedial or preventive action in the event of a threatened violation.

**§ 207-61. Revocation of permit; termination of service.**

The municipality may revoke any wastewater discharge permit or terminate, or cause to be terminated, wastewater service to any premises if a violation of any provision of this chapter is found to exist, or if a discharge of wastewater causes or threatens to cause a condition of contamination or pollution, as defined in this chapter.

**§ 207-62. Federal standards to prevail.**

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter.