

LOCAL LAW NO. 14-1979
CHAUTAUQUA COUNTY

South & Center Chautauqua Lake Sewer District - Chautauqua County, New York

BE IT ENACTED, by the County Legislature of the County of Chautauqua, New York as follows:

A Local Law regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system (s); and providing penalties for violations thereof: in the served South & Center Chautauqua Lake Sewer Districts and those districts served by the South & Center Chautauqua Lake Water Pollution Control Facility, County of Chautauqua, State of New York.

Be it further resolved that this Local Law supersede existing sewer-use rules and regulations contained in sanitary codes established and enforced by those governmental bodies served within the South & Center Chautauqua Lake Sewer Districts.

ARTICLE I
EFFECTIVE DATE OF LOCAL LAW INTRO NO. 17-79

This Law shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law, except its effective date as to areas within the district served by collection systems owned and maintained by the Town of Ellicott shall be delayed until said systems are transferred to the district except to the extent provided by contract between the district and the Town of Ellicott.

ARTICLE II
DEFINITIONS

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

SECTION 1. "A.S.T.M." Shall mean American Society for Testing and Materials.

SECTION 2-2 "Biochemical oxygen demand" (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20 deg. C., expressed in milligrams per liter. The laboratory determinations shall be made in accordance with "Standard Methods."

SECTION 2-3 "Builder" shall mean any person, persons, or corporation who undertakes to construct, either under contract or for resale, any habitable building.

SECTION 2-4 "Building Drain" shall mean the part of the lowest piping of a drainage system which received the discharge of soil, waste, and other drainage pipes inside the walls of the building and conveys such discharges to the building sewer; the building drain shall be considered to extend 3 feet outside the building wall.

Building Combined Drain. A building drain which conveys both sewage storm water.

Building Sanitary Drain. A building drain which conveys storm water but does not convey sewage.

Building Storm Drain. A building drain which conveys storm water but does not convey sewage.

SECTION 2-5 "Building Sewer" that part of the drainage system which extends from the end of the building drain and conveys its discharges to a public sewer, private sewer, individual sewage disposal system, or other approved point of disposal.

Building Combined Sewer. A building sewer which conveys both sewage and storm water.

Building Sanitary Sewer. A building sewer which conveys sewage but does not convey storm water.

Building Storm Sewer. A building sewer which conveys storm water, but does not convey sewage.

SECTION 2-6 "Contractor" shall mean any person, firm or corporation approved by the Director to do the work in the districts.

SECTION 2-7 "County" shall mean Chautauqua County or its Agent.

SECTION 2-8 "Cooling Water" shall mean the water discharge from a condensation air conditioning, cooking, refrigeration or other system, but free from odor or oil and containing no polluting substances which would produce B.O.D. or non-filterable residue each in excess of six (6) milligrams per liter over the concentration of non-filterable residue in a potable water supply.

SECTION 2-9 "Chemical Oxygen Demand" (COD) shall mean the equivalent quantity of oxygen utilized in the chemical oxidation of organic matter and oxidizable inorganic matter with a strong chemical oxidant under standard laboratory procedure and expressed in milligrams per liter. The laboratory determination shall be made in accordance with "Standard Methods."

SECTION 2-10 "CFR" shall mean the Code of Federal Regulations as published in the Federal Register.

SECTION 2-11 "Developer" shall mean any person, persons, or corporation who undertake to construct simultaneously more than one housing unit on a given tract or land subdivision.

SECTION 2-12 "Director" shall mean the Administrative Director of the South and Center Chautauqua Lake Sewer Districts, or his authorized deputy, agent, or representative.

SECTION 2-13 "District" shall mean the South and Center Chautauqua Lake Sewer Districts, and those other districts served by the South and Center Chautauqua Lake Water pollution Control Facility.

SECTION 2-14 "Domestic Wastes" – See Sanitary Sewage.

SECTION 2-15 "Easement" shall mean an acquired legal right for the specific use of land owned by others.

SECTION 2-16 "Excessive Strength" shall mean that the strength of the wastewater may be of such magnitude, that in the judgement of the Director, it will cause damage to the facilities, will be harmful to the wastewater treatment process and cannot be removed in the water pollution control plant to the degree required to meet the requirements of the facility's SPDES Permit, can otherwise endanger life, limb or public property, and/or which can constitute a public nuisance.

SECTION 2-17 "Garbage" shall mean the putrescible organic solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of meat, fish, fowl, or produce.

SECTION 2-18 "Industrial Wastewater" shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

SECTION 2-19 "May" is permissive (see "shall", Sec. 22)

SECTION 2-20 "Natural Outlet" shall mean any sewer outlet, including storm Sewers and combined sewer overflows, into a water-source, pond, ditch, lake or other body of surface or groundwater.

SECTION 2-21 "N.Y.S.D.O.T." Shall mean New York State Department of Transportation.

SECTION 2-22 "Person" shall mean any individual, firm, company, association, institution, society, governmental agency, corporation, or group.

SECTION 2-23 "pH" shall mean the logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed in moles per liter as determined by "Standard Methods."

SECTION 2-24 "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27) centimeters) in any dimension.

SECTION 2-25 "Property Line" shall mean boundary of the street if the building sewer is to connect with the public sewer in a public street. "Property Line" shall mean the edge of a permanent right-of-way in these instances where the building sewer connects to the public sewer in a right-of-way.

SECTION 2-26 "Public Sewer" shall mean a sewer provided by or subject to the jurisdiction of the South Chautauqua Lake Sewer District and other districts in which all owners of abutting properties have equal rights.

SECTION 2-27 "Receiving Waters" shall mean any watercourse, river, pond, ditch, aquifer, or other body of surface or sub-surface water receiving the discharge of sewage.

SECTION 2-28 "Sanitary Sewage" shall mean a combination of water carried waste which are similar in origin and strength to those typically produced in households, including wastewater from bathrooms, laboratories, toilets, kitchens, and laundries.

SECTION 2-29 "Septic Tank Waste" shall mean a combination of the liquid and water carried waste from residential, commercial, industrial, and institutional septic systems, collected and transported by scavenger tank truck operators.

SECTION 2-30 "Sewage" is the spent water of a community. The preferred term is "Wastewater". (See Sec. 32.)

SECTION 2-31 "Sewer" shall mean a pipe that carries wastewater or drainage water.

SECTION 2-32 "Shall" is mandatory (See "May", Sec. 2-13).

SECTION 2-33 "Sludge" shall mean the solid or slurry residuals resulting from the treatment of wastewater, including, but not limited to filter cake, grit, scum, primary sludge, and waste activated sludge.

SECTION 2-34 "Sludge" shall mean any discharge of water or wastewater which in connection of any given constituent, or in quantity of flow exceeds for any period of duration longer than ten (10) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

SECTION 2-35 "Standard Methods" shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes", published jointly by the American Water Works Association and the Water Pollution Control Federation.

SECTION 2-36 "State Plumbing Code" shall mean the New York State Building Construction Code applicable to plumbing, including all amendments.

SECTION 2-37 "Storm Drain" (Sometimes terms "Storm Sewer") shall mean a sewer which carried storm and surface waters and drainage, but excludes sanitary sewage and industrial wastes, other than unpolluted cooling water.

SECTION 2-38 "Suspended Solids" shall mean that either floats on the surface of, or are in suspension in water, sanitary, sewage, or industrial waste, and which are removable by a laboratory filtration device. The laboratory Suspended Solids determinations shall be made in accordance with "Standard Methods".

SECTION 2-39 "Unpolluted Water" is water of quality equal to or better than the water pollution control plant effluent criteria or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

SECTION 2-40 "User" shall mean any person that discharges wastewater into the wastewater facilities.

SECTION 2-41 "Wastewater" shall mean the spent water of a community, or individual. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water, and storm water that may be present.

SECTION 2-42 "Wastewater Facilities" shall mean the structures, equipment, and processes required to collect, convey and treat domestic and industrial wastes and dispose of the effluent.

SECTION 2-43 "Water Pollution Control Facility" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "Wastewater Treatment Plant" or Sewerage Treatment Works".

SECTION 2-44 "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

SECTION 2-45 Terms not otherwise defined herein shall be as adopted in the latest edition of *Glossary Water and Wastewater Control Engineering*, published by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

ARTICLE III USE OF PUBLIC SEWERS REQUIRED

SECTION 3-1 It shall be unlawful to discharge to any natural outlet within the District, or in any area under the jurisdiction of said District, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Local Law.

SECTION 3-2 The owner of any real property which generates sewage and which abuts on any street or right of way in which a public sanitary sewer is located 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 six (6) months after the date of official notice to do so, provided that said public sewer is located within one hundred fifty (150) feet of the building or other source of sewage generation upon the property. The time within which such connection must be made may be extended by the director for good cause shown. Any such extension shall be reviewed annually by the administrative head or body of the district.

Nothing in this section shall be construed to present connection by properties not hereby required to become connected.

*SECTION IV
PRIVATE WASTEWATER DISPOSAL DISCHARGE*

SECTION 4-1 At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer within six (6) months after date of official notice, in compliance with this local law, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material at the owners expense.

SECTION 4-2 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 State of New York, County of Chautauqua or local municipal government.

*ARTICLE V
BUILDING SEWERS AND CONNECTIONS: AND FEES*

SECTION 5-1 Except where otherwise provided herein, nothing in these regulations shall require the removal, alternation, or abandonment of, nor prevent continued use of, an existing building sewer connected to a public sewer.

SECTION 5-2 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 obtaining a permit from the Director.

SECTION 5-3 There shall be two (2) classes of building sewer permits:

(1) For residential and commercial service.

(2) For service to establishments producing industrial wastewater. In either case, the owner (s) of his agent shall make application on a form furnished by the district. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Director.

SECTION 5-4 All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the District from any loss or damage that may directly or indirectly be caused by the installation of the building sewer.

SECTION 5-5 A separate and independent building sewer shall be provided for every building, except where a special permission is granted. The Director may grant a special permission for the disposal of sewage from the two or more buildings to the public sewer through a single building sewer where the Director is satisfied that such a joint connection will not be detrimental to the properties to be served or the wastewater facilities. The District does not and will not assume any obligation or responsibility for damage caused by or resulting from any such joint connection aforementioned.

SECTION 5-6 Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the Director, or his authorized representative, to meet all requirements of this Local Law. Existing building sewers which have connected buildings to private wastewater disposal facilities may be broken and extended to the public sewer when they are found, on examination and test by the Director, or his authorized representative, to meet all requirements of this Local Law.

SECTION 5-7 All building sewers and drains shall conform to the following requirements:

(1) A separate and independent building sewer shall be provided for every building; except where on 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. Where building sewers are to serve multiple dwelling structures, there shall be provided at least one (1) separate building sewer for each group of four (4) living units.

(2) Building drains shall be of cast iron soil pipe conforming to ASTM Specification A74, coated inside and out with a bituminous coating. Building sewers may, at the owners option, be of cast iron soil pipe coated inside and out with bituminous coating, vitrified clay pipe, asbestos cement pipe and an approved grade of PVC pipe. Pipe materials and joints shall be as specified in the State Plumbing Code. All pipe used shall be new and free from all defects, and at least four inches in diameter or as large as the upstream pipe leading into it. The building sewer shall be tar-coated, extra heavy cast iron soil pipe, conforming to ASTM Specification A74 or Polyvinyl Chloride (PVC) pipe conforming to ASTM D-3034 providing a minimum SDR Ratio of 35 and a minimum pipe stiffness of 46 at 5 percent deflection. Joints shall be tight and waterproof. All building sewers shall be laid wherever practical in an open trench with sufficient space left under the bell end of each section of pipe to insure a solid bearing throughout the line. All newly disturbed ground shall be firmly tamped or packed. All building sewers shall be laid with a level or to a line, and at a uniform grade providing a slope of at least (1/4) inch per foot, unless it is impossible to attain such grade, in which case a permission must be obtained from the Director, and in any case, the slope of the pipe shall not be less than (1/8) inch per foot. Wherever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to and within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost, but in no event shall be less than three (3) feet. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. The ends of building sewers which are not connected to the building drain of the structure for any reason, shall be sealed against infiltration by a suitable stopper, plug, or other approved means. Building sewers and drains shall be installed so as not to be subject to undue strain. Provision shall be made to protect the piping against damage from strain due to traffic live loads and building settlement. The ends of all building sewers and drains which are not to be immediately used shall be adequately plugged to prevent the entry of foreign matter.

(3) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Director. Pipe laying and backfill shall be performed in

accordance with Sections 3 through 6 of ASTM Specifications C12 except that no backfill shall be placed until the work has been inspected.

No trench in which a building sewer or drain has been laid shall be backfilled and no sewage shall be permitted to enter any such sewer or drain, until after such line has been inspected and approved as to work and material and compliance with these specifications by the Director.

Precautions shall be taken to assure proper compactness and backfilled without damage to the piping. Trenches shall be backfilled and compacted to at least 12 inches above the top of piping with clean earth, sand, or screened gravel, which shall not contain boulders, cinders, or other substances which may damage or break the piping or cause corrosive action. Thereafter, backfilling shall be completed up to grade and be properly compacted.

(4) All joints and connections shall be made gastight and watertight. No cement joints will be permitted. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved. The transition joint between cast iron pipe and other pipe material shall be made with special adaptors and joint materials approved by the Director.

Pre-molded gasket joints for hub and plain end cast iron pipe and P.V.C. pipe shall be used with a neoprene compression-type gasket which provides a positive double seal in the assembled joint. The gasket shall be a pre-molded, one-piece unit, designed for joining the pipe and plain end soil pipe and fittings. The assembled joint shall be sealed by compression of the gasket between the exterior surface of the spigot and the interior surface of the hub. The joint shall be assembled following the manufacturer's recommendations using acceptable lubricant and special pipe-coupling tools designed for that purpose. The plain spigot end shall be forced into the hub itself. Lubricant shall be a bland, flax-base, non-toxic material and shall not chemically attack the gasket material.

There shall be an accessible cleanout on the building drain near its junction with the building sewer outside the building, or at a wye branch fitting immediately inside the building.

Cleanouts shall be installed at changes in direction of the building sewer or drain greater than 45 degrees and at all junctions between two building sewers.

Building sewers shall be installed with as few bends as possible. Cleanouts on underground piping shall be extended so as to be accessible.

Cleanouts shall be installed in such a manner that the cleanout opening is in a direction opposite to the direction of flow in the sewer or at a right angle thereto. Cleanouts shall be at least 4 inches in diameter.

In the absence of code provisions, or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. Water Pollution Control Federation Manual of Practice No. 9, the State Plumbing Code or the Chautauqua County Sanitary Code shall apply.

SECTION 5-8 Every building owner shall maintain each plumbing fixture, pipe, drain, sewer and sewer connection of such building in a sanitary condition and shall remove stoppages, repair leaks, and replace broken, worn or faulty fixtures or pipes which shall be the cause of any unsanitary condition.

SECTION 5-9 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 sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

SECTION 5-10 The plumbing systems of buildings connecting to public sewers shall be in conformance with the State Plumbing Code, and if applicable local health and plumbing codes. Building traps which prevent ventilation of the sewer through the building vents are not permitted, unless such traps were in use prior to the date of this Local Law.

SECTION 5-11 No person(s) shall make connection of roof down-spouts, 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 sewer unless such connection is approved by the Director.

SECTION 5-12 All building sewers shall be connected into the public sewer at the location of the lateral connection which has been provided by the District to serve such property, unless a permission is granted by the Director upon the request of a qualified plumber establishing that it is impractical or unreasonable to make the connection in the location thus provided.

SECTION 5-13 All building sewers connected to a public sewer shall be made by a qualified plumber or sanitary sewer contractor, approved by the District.

SECTION 5-14 The applicant for the building sewer permit shall notify the Director when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Director or his representative.

SECTION 5-15 When trenches are opened for the laying of building sewer pipes, such installations shall be inspected by the Director before the pipes are covered. The covering of a pipe before inspection is made will subject the person to whom a permit is issued to penalties under Article X of this Law and the installation will not be approved for use until it is uncovered and inspected by the Director. Test pressure shall be equal to at least a 10 foot column of water at all points in the pipeline. The building sewer shall hold this water for a period of 20 minutes without showing a drop greater than 2 inches in the water level.

If the building sewer fails the test, defective joints, pipes, or fittings shall be located and replaced or repaired. Additional tests and repairs shall be made until the pipeline passes the test.

The owner shall also indemnify the District (s) from any loss or damage that may directly or indirectly be caused by the installation of the building sewer.

SECTION 5-16 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 Director and any other agency having jurisdiction over such property.

SECTION 5-17 When any building sewer is to serve a school, hospital, or similar institution or public building, or is to serve a complex of industrial or commercial buildings, of which, in the opinion of the Director, will receive sewage or industrial wastes of such volume or character that frequent maintenance of said building sewer is anticipated, then such building sewer shall be connected to the public sewer through a manhole. The Director shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Director. If required, a new manhole shall be installed in the public sewer and the building sewer connection made thereto as instructed by the Director.

SECTION 5-18 All extensions to the sanitary sewer system owned and maintained by the Districts shall be properly designed in accordance with and in strict conformance with all requirements of the New York State Department of Environmental Conservation. Plans and specifications for sewer extensions shall be submitted to, and approval obtained from the Director, and the New York State Department of Environmental Conservation and County Health Department before construction may proceed. The design of sewers must anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.

SECTION 5-19 Sewer extensions, including individual public sewers to connect to building owners at the property line, may be constructed by the District under public contract if, in the opinion of the Director, the number of properties to be served by such extension warrants its costs. Under this arrangement the property owner shall pay for and install the building sewer from the property line to his residence or place of business in accordance with the requirements of the Code. Property owners may propose sewer extensions within the District by drafting a written petition, signed by a majority of the benefiting property owners, and filing it with the Director. The cost of such extensions may be assessed to the benefited property owners pursuant to applicable law.

SECTION 5-20 If the District does not elect to construct a sewer extension under public contract, the property owner, builder or developer may construct the necessary sewer extension, if such extension is approved by the Director in accordance with the requirements set forth in this Code. He or they must pay for the entire installation, including all expense incidental thereto. Each building sewer must be installed and inspected as previously required and the inspection fees shall be paid. Design of sewer shall be as specified in this law. The installation of the sewer extension must be subject to periodic inspection by the Director and the extension must be subject to periodic inspection by the Director and the expenses for this inspection shall be paid for by the owner, builder or developer. The Director's decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the exfiltration test set forth in this Law before it is to be closed.

SECTION 5-21 Main line sewer design shall be in accordance with the following provisions. Pipe material shall be asbestos-cement conforming to ASTM Specifications C-428, Type II; or extra strength vitrified clay conforming to ASTM Specifications C-425 and C-700; or

polyvinyl chloride pipe conforming to ASTM Specification D-3034. Minimum internal pipe diameter shall be eight (8) inches. Joints for each type of pipe, shall be designed and manufactured such that "O" ring gaskets of the "snap neoprene" and shall provide a positive compression seal in the assembled joint. Wye branch fittings shall be installed for connection to building sewers.

Pipe thickness and field strengths shall be calculated using the following criteria:

Safety factor	1.5
Load factor	1.5
Weight of Soil	120 lbs. per cu. ft.
Wheel loading	16,000 lbs.

The transition width shall be used in conjunction with the above to compute pipe class for asbestos cement and vitrified clay. PVC pipe shall have wall thicknesses equal to or greater than those provided by an SDR ratio of 35.

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

Manholes shall be constructed at all changes in slope or alignment or at intervals not exceeding 400 linear feet. The manholes shall have a precast minimum 4-foot diameter concert manhole barrel section with an eccentric tapered top section and a base section as specified by ASTM C-478. The manhole frame and cover shall be the standard design of the District and shall be set with no less than two courses of brick underneath to allow for later adjustment in elevation. All joints shall be sealed with "O" rings against infiltration.

SECTION 5-22 All sewer extensions shall satisfy requirements of a final exfiltration test before they will be approved and sewage flow accepted from them by the Director. This test consists of filling the pipe with water to provide a head of at least five (5) feet above ground-water, whichever is higher, at the highest point of the pipe line under test, and then measuring the loss of water from the line by the amount which must be added to maintain the original level. In this test, the line must remain filled with water for at least twenty-four (24) hours prior to the taking of measurements. Exfiltration shall be measured by the drop of water level in a standpipe with closed bottom end, or in one of the sewer manholes available for convenient measuring.

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

The total leakage of any section tested shall not exceed the rate of 100 gallons per mile of pipe per 24 hours per inch of nominal pipe diameter. For purposes of determining the maximum allowable leakage, manhole shall be considered as sections of 48-inch diameter pipe, five (5) feet

long. The equivalent leakage allowance shall be 4.5 gallons per manhole per 24 hours, for 48-inch diameter manholes. If leakage exceeds the specified amount, the necessary repairs or replacements required shall be made to permanently reduce the leakage to within the specified limit, and the tests shall be repeated until the leakage requirement is met.

Other forms of sewer testing may be permitted subject to the approval of the Director.

SECTION 5-23 All sewer extensions constructed at the property owner's, builder's expense, after final approval and acceptance by the Engineer, shall become the property of the District and shall thereafter be maintained by the District. Said sewers, after their acceptance by the District shall be guaranteed against defects in materials or workmanship for eighteen (18) months. The guarantee shall be in a form provided for by the District. At the sole discretion of the district a completion bond or other security may be demanded as part of the guarantee.

SECTION 5-24 No builder or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities within the District unless a suitable and approved method of waste disposal is proposed. All new developments shall be provided with an approved system of sanitary sewers.

ARTICLE VI USE OF PUBLIC SEWERS

SECTION 6-1 No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, surface drainage, or cooling water to any sewer. Stormwater runoff from limited areas, which stormwater may be polluted at times, may only be discharged to the sanitary sewer by permission of the Director.

SECTION 6-2 Stormwater other than that exempted under Section 1, Article VI, and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Director.

SECTION 6-3 No person shall discharge any waste or other substance directly into a manhole or sewer vent pipe without specific written authorization of the Director. All discharges shall be through an approved sewer connection.

SECTION 6-4 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 water containing toxic solids, liquid, or gasses, in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, or create any hazard in the receiving waters or the wastewater treatment plant.
- (c) Any waters or wastes having a pH lower than 5.5 or higher than 9.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater facilities.

(d) Solids or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(e) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with applicable State and Federal regulations.

(f) Prohibited discharge in excess of the allowed limits as determined by the National Pretreatment Standards developed by the Environmental Protection Agency, 40 CFR 403, including all amendments.

SECTION 6-5 No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes unless it appears unlikely in the opinion of the Director that such wastes will harm either the sewers, wastewater treatment process or equipment, have adverse affect on the receiving stream. In forming his opinion as to the acceptability of these wastes, the Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials or construction of the sewers, the wastewater treatment processes employed, capacity of the wastewater treatment plant, degree of treat ability of wastes in the wastewater treatment plant, and other pertinent factors. The Director may set limitations lower than the limitations established below if in his opinion such more severe limitations are necessary to meet the above obligations. The substances that require the approval of the Director prior to discharge into the sewer system are:

(a) Wastewater having a temperature higher than 150° Fahrenheit (65° Celsius).

(b) Any water or waste containing fats, grease or oils of petroleum origin, whether emulsified or not, in excess of one hundred (1000) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32°) and one hundred fifty (150°) F. (0° and 65° C).

(c) Any garbage that has not been properly ground. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horse-power (0.76 hp metric) or greater shall be subject to the review and approval of the Director.

(d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

(e) Any waters or wastes containing iron, chromium, calcium, nickel, zinc, or other toxic material, exceeding the concentrations set forth in Appendix "A", or wastes exerting an excessive chlorine requirement, in such quantities that any of the above materials received in the composite wastewater at the wastewater treatment works exceeds the limits established in Appendix "A" of this Local Law, or by the Director for such material.

(f) Any waters or wastes containing phenols or other wastes or odor producing substances, in such concentrations exceeding limits which may be established by the Director as

necessary after treatment of the composite wastewater, to meet the requirements of the State, Federal, or other regulatory agencies or jurisdiction for such discharge to the receiving waters.

(g) Materials which exert, cause or contain:

1) Unusual concentrations of inert suspended solids (such as, but not limited to Fullers, earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to sodium chloride and sodium sulfate.)

2) Excessive discoloration (such as, but not limited to, dye wastes, vegetable tanning solutions, and commercial inks).

3) BOD, chemical oxygen demand, nitrogen or chlorine requirements in such quantities as to constitute a significant load on the water pollution control plant.

4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(h) Industrial wastes or landfill leachate which exceeds the criteria used in the design of the water pollution control plant, as listed below:

1. BOD concentration greater than 250 milligrams per liter.

2. A suspended solids concentration greater than 240 milligrams per liter.

3. An ammonia concentration greater than 20 milligrams per liter.

(j) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater process employed, or are amenable to treatment only to such degree that the wastewater treatment agencies having jurisdiction over discharge to the receiving waters, or which would cause the wastewater treatment plant sludge to become unsuitable for disposal.

(k) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gasses, from suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

(1) Pollutants in excess of the allowed limits as determined by the National Pretreatment Standards developed by the EPA, 40 CFR 403 including all amendments.

SECTION 6-6 If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possesses the characteristics enumerated above, and which in the judgement of the Director, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Director may:

(a) Reject the wastes.

(b) Require pretreatment to an acceptable condition for discharge to the public sewers,

(c) Require control over the quantities and rates of discharges, and/or

(d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges. If the Director permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to review and approval of the Director.

SECTION 6-7 Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Director and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Director. Any removal and hauling of the collected materials not performed by owner(s) personnel must be preformed by approved waste disposal firms.

SECTION 6-8 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.

SECTION 6-9 Unless otherwise authorized by the Director, all persons discharging industrial wastes into a public sewer shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with the plans approved by the Director. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times. If measuring devices are to be permanently installed, they shall be a type approved by the Director.

A detailed drawing shall be provided to the Director for his records showing the locations of all such structures.

SECTION 6-10 The Director may require a user of sewer services to provide information needed to determine compliance with this Local Law. These requirements may include:

(a) Wastewater discharge peak rates and volume over a specified time period.

(b) Chemical analyses of wastewaters.

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

(d) Quality and disposition of septic liquids, sludge, oil, solvent, or other materials important to sewer use control.

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

(f) Details of wastewater pretreatment facilities.

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

SECTION 6-11 The accidental discharge of any prohibited wastes into any sewer shall be reported to the Director by the person responsible for the discharge, or by the owner or occupant of the premises where the discharge occurs, immediately upon obtaining knowledge of the fact of such discharge so that steps may be taken to minimize its effect on the sewerage system. Notification of such discharge will not relieve the person of liabilities for any expense, loss or damage to the system, or for any fines imposed by the district on account thereof.

SECTION 6-12 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Law shall be determined in accordance with the latest edition of Standard Methods or United States EPA "Guidelines Establishing Procedures for the Analysis of Pollutants." Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Director.

High strength industrial waste surcharges will be determined during the billing period after due allowance for values not believed to be representative. Any person may request the Director to make a new testes, such tests to be at the expense of the person discharging the waste and such tests to be of a minimum of 24 hours duration unless approved. If the Director is satisfied that such test was made when the plant was operating under normal conditions, the results of these test shall be used in computing the subsequent industrial waste surcharge.

SECTION 6-13 No statement contained in this article shall be construed as preventing any special agreement in writing between the Director and any industrial concern whereby an industrial waste of unusual strength of character may be accepted by the Director for treatment provided that the treatment plant can accept the waste and it will not cause the plant to contravene it's permit limits.

ARTICLE VII

PROTECTION FROM DAMAGE

SECTION 7-1 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 provision shall be subject to immediate arrest under charge of disorderly conduct.

SECTION 7-2 No manhole cover shall be removed or any object placed in the sewer through any manhole, except with the authorization of the Director.

ARTICLE VIII
POWERS AND AUTHORITY OF INSPECTORS

SECTION 8-1 Agents or employees of the U.S. Environmental Protection Agency, New York State Department of Environmental Conservation, Chautauqua County Health Department, and the District bearing credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, measurement, sampling, and testing. The failure of the owner of real property or the person in possession of real property to admit the Director, or his agents, at reasonable times and upon reasonable notice considering the gravity and immediacy of the circumstances for which entry is requested, shall constitute presumptive evidence of a violation of the local law. The foregoing provision is subject to the guarantees against unreasonable search and seizure contained in Article I, Section 12 of the New York State Constitution and Amendment IV to the Constitution of the United States of America.

SECTION 8-2 While performing the necessary work on private properties the Director or duly authorized employees of the District 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 District employees and the District shall indemnify the company against loss or damage to its property by the District employees and against liability claims and demands and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain conditions.

SECTION 8-3 The Director and other duly authorized employees of the District, as well as Federal, State and County regulatory agencies bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX
RULES AND REGULATIONS FOR ACCEPTANCE
OF SCAVENGER TANK WASTE

SECTION 9-1 Permits for discharge of scavenger tank waste shall be obtained on application forms furnished by the Director of the Districts. A separate permit shall be obtained for each tank vehicle. A fee of \$50.00 per tank vehicle shall be charged per year. Permits must be renewed annually on or before the first regular business day of the year.

SECTION 9-2 Any person, firm, or corporation discharging such waste into the treatment facilities, shall pay the District at the rate of \$5.00 per one thousand gallons as a sewage disposal charge. Payment shall be made for the full capacity of the tank vehicle regardless of the actual contents of the unit.

SECTION 9-3 Septic tank wastes may be discharged from the scavenger truck, directly into the night soil holding tank via a 4-inch filler pipe located on the top of the wet well. Only domestic waste will be accepted which meet the provisions of this Local Law. All other wastes

such as septic tank or cesspool sludge, and industrial wastes will require prior approval by the Director and shall be subject to a surcharge based upon laboratory analysis of such wastes, and current processing costs.

SECTION 9-4 Receiving hours shall be 9:00 A.M. to 4:00 P.M., Monday through Friday. All spills are to be hosed down by the driver of the tank truck.

SECTION 9-5 Each tanker vehicle shall bear an identification sticker visible displayed, which will be issued with the permit. Delivery tickets shall be signed at the sewage treatment plant for each load.

ARTICLE X PENALTIES AND RECOVERY OF DAMAGES

SECTION 10-1 The continued violation of any provision of any section or concurrent violation of different sections of this Local Law shall constitute separate offenses for each and every day such violation of any provision hereof shall continue and for each and every section violated.

SECTION 10-2 Any person or owner who willfully, knowingly or recklessly fails to comply with the provisions of this Local Law shall be guilty of a misdemeanor and shall be subject to a sentence of imprisonment for up to one year and to a fine of up to One Thousand Dollars (\$1,000.00) for each violation.

SECTION 10-3 The Director may assess a civil penalty of up to Two Hundred Fifty Dollars (\$250.00) for each violation against any person or owner who fails to comply with the provisions of this Local Law and may bring suit in the name of the District in a court of competent jurisdiction to enforce said penalty.

SECTION 10-4 The Director may bring suit in the name of the District in a court of competent jurisdiction against any person or owner who fails to comply with the provisions of this Local Law for any legal or equitable relief including an injunction and a suit for actual money damages.

SECTION 10-5 In any suit brought by the Director under Sections 10-3 and 10-4 hereof, the District shall be entitled to recover attorneys fees, engineers fees and other costs to the District of ascertaining violations of this Local Law and enforcing the rights of the District and penalties hereunder.

SECTION 10-6 The Director may disconnect a building sewer at its connection with the sanitary sewer and plug the building sewer when the discharge from the building sewer threatens District personnel or the facilities, or processes of the sewage works.

SECTION 10-7 The remedies under this article may be used singly, concurrently and sequentially in any combination and the use of one remedy shall not exclude the exercise of any other remedy hereunder.

ARTICLE XI
LOCAL LAW IN FORCE

SECTION 11-1 All Local Laws or parts of Local Laws in conflict herewith are hereby repealed.

SECTION 11-2 If any clause, sentence, paragraph, subdivision, section or other art of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement decree or order shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or other part thereof, directly involved in the controversy in which such judgement, decree or order shall have been rendered, and this end the provisions of each section of this Local Law are hereby declared to be severable.

SECTION 11-3 Passed and adopted by the Chautauqua County Legislature, Mayville, State of New York, on the 21st day of November, 1979.

Three classes of permits are called for herein: (1) for Residential or Commercial sewers, (2) for Industrial sewer connections, (3) Scavenger tank truck permit to discharge. Application forms for these permits are presented in the Appendix.

APPENDIX A
TOXIC SUBSTANCES

<i>Parameter</i>	<i>Effluent Concentration Limit mg/L</i>
Cadium	0.4
Hex. Chromium	0.2
Total Chromium	4.0
Copper	0.8
Lead	0.2
Mercury	0.2
Nickel	4.0
Zinc	1.2
Arsenic	0.2
Available Chlorine	50.0
Cyanide-free	0.4
Cyanide-complex	1.6
Selenium	0.2
Sulfide	6.0
Barium	4.0
Manganese	4.0
Gold	0.2
Silver	0.2
Fluorides –	
To Fresh Water	4.0*
To Saline Water	36.0
Phen	4.0

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

Adopted by Legislature: 11/21/79

R/C Vote: 21 Yes; 4 Absent

Approved by Executive: 12/7/79

Adopted as Local Law: 14-79