

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATER AND WASTES INTO THE PUBLIC SEWER SYSTEM; ESTABLISHING AND IMPOSING MEANS OF PRODUCING REVENUE AND PROVIDING PENALTIES FOR VIOLATION THEREOF, IN THE VILLAGE OF TRUMANSBURG, COUNTY OF TOMPKINS, STATE OF NEW YORK.

Be it ordained and enacted by the Board of Trustees of the Village of Trumansburg, State of New York, as follows:

Section 1. TITLE:

This ordinance shall be known as the Sewer Use and Sewer Rent Ordinance.

Section 2: DESCRIPTION AND PURPOSE:

The sanitary sewer system of the Village of Trumansburg consists of lateral and trunk sewers laid in streets and rights of way, and a sewage treatment plant, the location of which are shown upon plans and drawings filed in the office of the Village Clerk, and all other appurtenances which are used in whole or in part in connection with the collection, treatment and disposal of sewage, industrial wastes and other wastes and all extensions, additions and improvements which may be made to such system. Its purpose is to provide for the collection and treatment of domestic sewage and such industrial wastes as are permitted by this Ordinance, in order to promote the health, safety and general welfare of the residents of the Village of Trumansburg. The purpose of this Ordinance is to protect the sewage collection and treatment facilities by controlling the quantity, quality and manner of discharge of sewage into the sanitary sewer system and to establish sewer rents

by which the costs of construction of the system and continued collection and treatment may be equitably borne by residents of the Village or owners of property therein to whom the system is available.

Section 3. DEFINITIONS:

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

A. "Sewer System" shall mean all facilities for the collection, pumping, treatment and disposal of sewage, industrial or other waste owned and operated or maintained by the Village of Trumansburg.

B. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions, industrial establishments, or other places.

C. "Sewer" shall mean a pipe or conduit for carrying sewage.

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

E. "Public Sewer" shall mean a sewer controlled by public authority, i.e., the Village of Trumansburg, New York.

F. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted and industrial wastes.

G. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

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

I. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and

dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension.

J. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of any building and conveys it to the building or house lateral, beginning four (4) feet outside the building wall.

K. "House Lateral" or "Building Lateral" shall mean the pipeline extending from the building drain to the public sewer or other place of disposal.

L. "B.O.D." (denoting Biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20°C.), expressed in milligrams per liter.

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

N. "Suspended Solids" shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.

O. "Sewage Treatment Plant" shall mean any arrangement of devices, buildings and structures owned by the Village of Trumansburg, New York and used for treating sewage.

P. "Person" shall mean any individual, firm, company, association, society, corporation, group or agent therefor, including municipal corporations and school districts.

Q. "Owner" shall mean any person having title to or any interest in real property in the Village of Trumansburg, New York.

R. "Shall" is mandatory; "May" is permissive.

S. "Village" shall mean the Village of Trumansburg, Tompkins County, New York.

T. "Superintendent of Public Works" shall mean the Superintendent of Public Works of the Village of Trumansburg, New York.

U. "Sewer Rents" shall mean the charge established and imposed by the Village upon persons or owners served by the sewer system.

#### Section 4. REQUIREMENTS AND LIMITATIONS OF USE OF SEWER SYSTEM:

A. The owner of any residence, building or property used for human occupancy, employment, recreation, commerce, manufacturing or other purpose situated in the Village and abutting on any street, alley, easement, or right of way in which there is a public sewer line, or to which there is otherwise available or accessible a public sewer line, is hereby required at his expense to connect such residences, buildings or property directly with the public sewer, and to install suitable toilet facilities therein, within thirty (30) days after official notice to do so.

B. It shall be unlawful for any person to place, deposit, or permit to be deposited upon public or private property within the Village of Trumansburg any human or animal excrement, garbage or other objectionable wastes and, except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage within the Village of Trumansburg, New York.

C. Where the village sewer system is not available an owner may employ a private sewage disposal system, the type, capacity, location and construction of which shall comply with all requirements of the Tompkins County Health Department.

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

E. Storm water 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 Superintendent of Public Works. Industrial cooling water or other unpolluted process waters may be discharged to a storm sewer or natural outlet upon approval of the Superintendent of Public Works.

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

1. Any liquid or vapor having a temperature lower than thirty-two degrees fahrenheit or higher than one hundred fifty degrees fahrenheit.

2. Any water or waste which may contain more than one hundred (100) milligrams per liter by weight, of fats, oils or greases.

3. Any gasoline, bensene, naptha, fuel oil or other inflammable or explosive liquid, solid, or gas.

4. Any garbage that has not been properly shredded.

5. Any ashes, cinders, sand, mud, straw, shavings, animal wastes, metal, glass, rags, feathers, tar, plastics, wood, manure, or any other solids or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works in the opinion of the Superintendent of Public Works.

6. 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 sewage works, in the opinion of the Superintendent of Public Works.

7. Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, or to constitute a hazard to humans or animals or to create any hazard in the receiving waters of the sewage treatment plant.

8. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant, in the opinion of the Superintendent of Public Works.

9. Any noxious or malodorous gas or substance capable of creating a public nuisance.

G. Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent of Public Works they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any inflammable wastes, sand, grit 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 of Public Works, and shall be located so as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature and shall be of substantial construction, water tight, and equipped with easily removable covers which when bolted in place shall be gas tight and water tight.

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

1. The admission into the public sewers of any and waters or wastes having (a) a five day biochemical oxygen demand greater than three hundred milligrams per liter, or (b) containing more than three hundred fifty milligrams per liter of suspended solids or (c) containing any quantity of substances having the characteristics described in sub-division F of this section, or (e) having an average daily flow greater than two per cent of the average daily sewage flow of the village, shall be subject to the review and the approval of the Board of Trustees of the Village. Where necessary in the opinion of the Board of Trustees of the Village, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (a) reduce the biochemical oxygen demand to three hundred milligram per liter and the suspended solids to three hundred fifty milligrams per liter, or (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in this section, or (c) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Board of Trustees of the Village and of the Tompkins County Health Department and no construction of such facilities shall be commenced until said approvals are obtained in writing. Where preliminary treatment facilities are required for any waters or wastes no permit for connection to the sewage system will be granted until such pretreatment units have been placed in operation and have demonstrated effectiveness by test. The cost of such testing, sampling and analysing shall be borne by the waste contributor. Said preliminary treatment facility shall be maintained continuously and

satisfactory in effective operation by the owner at his expense.

J. When required by the Superintendent of Public Works the owner of any property served by a house lateral carrying commercial-industrial wastes shall install a suitable control manhole in the lateral to facilitate, observation, sampling and measurement of the wastes. Such manhole, when required, shall be conveniently and safely located and shall be constructed in accordance with plans approved by the Superintendent of Public Works. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

K. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in paragraph F and I shall be determined in accordance with "standard methods for the examination of water and sewage" and may be determined at the control manhole provided for in paragraph J or upon suitable samples taken at said manhole. In the event that no special manhole has been required the control manhole may be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Any analyses required by the Superintendent of Public Works pursuant to the provisions of the ordinance may be performed at the Sewage Treatment Plant or at such laboratory as designated by the Superintendent of Public Works and if the latter, the cost of these analyses shall be borne by the owner.

L. No statement contained in this section shall be construed as preventing any special arrangement or agreement between the Board of Trustees of the Village and any industrial, commercial or other owner from whose premises a commercial-industrial or domestic waste em-

anates which is of unusual strength or character from being accepted by the Board of Trustees of the Village for treatment subject to payment therefor by such owner.

#### Section 5. CONNECTION TO SEWER SYSTEM

A. No person shall enter into, open, connect with, use or do any repair or maintenance work with respect to the sewer system except under the inspection and direction of the Superintendent of Public Works and without first obtaining a written permit from the Superintendent of Public Works.

B. There shall be two classes of building sewer permits: (1) for residential and commercial uses and (2) for use by establishments producing industrial wastes. In either case the owner or his agent shall make application on a special form furnished by the Village. The permit application shall be supplemented by such plans, specifications and other information considered pertinent and requested by the Superintendent of Public Works. A permit and inspection fee of Two (\$2.00) Dollars for a residential or commercial sewer permit and Fifteen (\$15.00) Dollars for an industrial sewer permit shall be paid to the Village Clerk at the time the application is filed.

C. All costs and expense incident to the installation and connection of the building drain and house lateral shall be borne by the owner and the owner shall also be liable for the initial cost of installation and continued maintenance of the house lateral from the building to the Y connection, where provided in the sewer system or directly to the sewer line where no Y connection has been provided. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the house lateral or its connection to the sewer system.

D. A separate and independent house lateral

shall be provided for every building. Existing private sewer lines or laterals not passing through a septic tank may be used when they are found on examination by the Superintendent of Public Works to be satisfactory and to meet all other requirements of this ordinance. Abandoned septic tanks, cesspools, laterals and other private sewage disposal facilities shall be removed or filled with suitable materials.

E. House laterals shall be cement asbestos (transite or equal) or extra heavy castiron soil pipe and shall be surrounded by select earth compacted to at least a distance of one (1) foot above the pipe. Castiron soil pipe must be used for the building drain through the wall of any building and for at least four (4) feet from the building to the connection of the building drain to the house lateral or building lateral.

F. The size and slope of the house lateral shall be subject to the approval of the Superintendent of Public Works but in no event shall the internal diameter be less than four (4) inches. The slope of such four (4) inch pipe shall be not less than one-fourth (1/4) inch per foot except where unusual circumstances establish a proven hardship, in the opinion of the Superintendent of Public Works, and his opinion shall be final in this regard.

G. No house lateral shall be laid in a ditch paralleling a water or gas line within four (4) feet of such other lines, nor shall it be laid parallel to or within three (3) feet of any bearing wall which might thereby be weakened. All house laterals shall be laid at uniform grade and in straight alignment insofar as possible and changes in direction shall be made only with properly curved pipe and fittings. The depth thereof shall be sufficient to afford protection from frost.

H. In all buildings in which any building

drain is too low to permit gravity flow to the sewer system, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the house laterals.

I. All excavation required for the installation of a house lateral shall be open trench work unless otherwise approved by the Superintendent of Public Works. Pipe laying and back fill shall be performed in accordance with ASYM specification C-12 except that no backfill shall be placed until the work has been inspected. No house lateral shall be connected to the sanitary sewer system unless the structure to be served shall have a soil line properly vented in a manner approved by the Superintendent of Public Works, together with such cleanouts along the house lateral as may be required by the Superintendent of Public Works.

#### Section 6. POWER AND AUTHORITY OF INSPECTORS:

A. The Superintendent of Public Works and other duly authorized employees of the Village shall be permitted to enter upon any property at reasonable hours for the purpose of inspecting measuring, sampling, testing, repairing, or disconnecting or for any purpose reasonably necessary to carry out and enforce the provisions of this ordinance.

B. The Board of Trustees of the Village may, at any time in its discretion, stop and prevent the discharge into the sewer system of any substance which it considers may injure the sewer system or interfere with its normal operation or obstruct the flow or hinder any process of sewage purification and it may, in furtherance of this provision, sever the connection and cause the removal of any house lateral or building lateral through which such detrimental substances are being discharged or cause the water service to be disconnected and dis-

continued, or both. No action shall be taken by the Board of Trustees to implement the foregoing provisions unless the Village shall have given the owner at least forty-eight (48) hours notice in writing stating the action to be taken and the grounds therefor, except that such notice shall not be required if immediate action is necessary to prevent injury to the sewer system or any part thereof.

#### Section 7. SEWER RENTS:

A. A quarterly charge is hereby imposed upon every person whose premises are served by the sanitary sewer system of the Village, either directly or indirectly, for the service rendered by the sewer system to the owners and other users of real property within the Village, and for the payment of the cost of construction, debt service, operation, maintenance and repair of said system

B. The quarterly charge shall be based upon a unit system of measurement, said units being established as follows:

1. Each single family dwelling shall be charged at the rate of one (1) unit.

2. Each two family house, apartment house or multiple dwelling other than boarding houses, tourist homes, hotels and motels shall be charged at the rate of one (1) unit for each apartment or dwelling unit.

3. Boarding houses, tourist homes, hotels and motels shall be charged at the rate of one (1) unit for each four rooms or fraction thereof available for rent.

4. Restaurants, taverns, bars, grills, gas stations and automotive garages shall be charged at the rate of two (2) units.

5. Churches, lodges, and religious or charitable organizations shall be charged at the rate of one (1) unit.

6. Laundromats containing automatic washers and dryers for public use shall be charged at the

rate of one-half ( $\frac{1}{2}$ ) unit per each automatic washer upon the premises.

7. Dry cleaning establishments shall be charged at the rate of one (1) unit.

8. Public schools shall be charged at the rate of one (1) unit per seventeen (17) students, teachers, and employees, the number of which are to be determined as of the 15th day of September in each year for the next succeeding four quarters..

9. Commercial establishments with ten (10) or less full time employees, including but not limited to retail stores, wholesale distributors, light manufacturers, barber and beauty shops, banks, post office, funeral homes, professional and business offices, lunch bars, or other types of business enterprises not heretofore or hereinafter described shall be charged at the rate of one (1).unit

10. Industrial plants, commercial establishments and professional and business operations employing more than ten (10) full time employees shall be charged one (1) unit plus an additional one (1) unit for every five (5) employees or fraction thereof over and above ten (10) employees.

11. In the event the use of any parcel of real property combines two or more of the classifications herein set forth ( excepting public schools ) the number of units in each classification shall be determined and the total thereof shall constitute the number of units to be charged to the entire parcel.

C. The sewer rents established by this section shall be charged whether or not the property is occupied and whether or not the property is connected to the sewer system by the required lateral.

D. The amount of the quarterly charge per unit is hereby established as Twenty-two Dollars and Fifty Cents (\$22.50). Sewer rents shall

be due and payable in advance at the office of the Village Clerk on the 1st days of January, April, July, and October of each year. Sewer rents becoming due on other than the aforementioned quarterly dates shall be prorated and billed with the next succeeding quarter. In the event any sewer rent shall not be paid within thirty (30) days from the date such rent is due it shall be considered delinquent and a penalty in an amount equal to five (5%) per cent of the amount of the bill shall be added to the amount due.

E. The Board of Trustees of the Village shall determine the number of units to be charged to each parcel of real property pursuant to subparagraph B of this section. The Village Clerk shall keep a record of all owners of real property within the Village, and this record shall indicate the classification or classifications of each parcel of real property according to subparagraph B of this section and the total number of units charged to such property. Bills shall be mailed to the owners of such property at the address to which Village tax bills are mailed, unless otherwise requested in writing by the owner. The failure of any owner or designated agent to receive a bill promptly shall not excuse nonpayment of same as herein provided, and in the event an owner fails to receive a bill promptly he shall obtain a bill at the office of the Village Clerk.

F. Collection of delinquent sewer rents may be enforced by the Village pursuant to Section 452 of the General Municipal Law as heretofore enacted and hereafter amended. In addition thereto, in the event any sewer rent is not paid within ninety (90) days from the date due, the Board of Trustees of the Village may cause a notice to be delivered or mailed to the owner addressed as provided in subdivision E of this section, and to the occupant of the premises,

addressed at the premises, stating the amount due and demanding payment thereof within a period of at least ten (10) days of the date of such notice and stating that if such payment is not made, the water service or the sewer service or both, shall be discontinued without further notice, and, at the expiration of such period as provided in such notice, the Board of Trustees of the Village or the duly designated employees or officers of the Village may enter on said premises and cause the water service or the sewer service, or both, to be disconnected and discontinued. A charge of Five (\$5.00) Dollars shall be made for discontinuing or reconnecting each of such services on account of non-payment of sewer rents and such charges shall be billed and collected in the same manner as sewer rents.

G. All revenues derived from sewer rents, including interest and penalties thereon, and charges, shall be credited to a special fund to be known as the "Sewer Rent Fund". The moneys in such fund shall be used only for the purposes and in the manner specified by Article 14-F of the General Municipal Law.

Section 8. PENALTIES:

A. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or otherwise tamper with any structure, appurtenance or equipment which is a part of the Village Sanitary Sewer System. A violation of this provision shall constitute disorderly conduct and the person committing such a violation shall be a disorderly person. Such person shall be liable to the Village for any expense, loss or damage occasioned by reason of such violation.

B. Any person violating any provision of this ordinance other than those provisions contained in Section 7 shall, upon conviction, be fined in an amount not to exceed One Hundred (\$100.00) Dollars for each such violation. When any such violation shall be continuous for more than one

(1) day, each twenty-four (24) hours thereof shall constitute a separate, distinct and additional violation. In addition thereto such person shall be liable to the Village for any expense, loss or damage occasioned by reason of such violation

Section 9. REPEAL OF PRIOR ORDINANCES  
All ordinances or parts of ordinances of this Village in conflict with or inconsistent with the provisions of this ordinance are hereby repealed.

Section 10. VALIDITY:  
The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Section 11. EFFECTIVE DATE:  
This ordinance shall be in full force and effect upon compliance with Section 95 of the Village Law as amended.