

SANITARY ORDINANCE

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM: AND PROVIDING PENALTIES FOR VIOLATION THEREOF: IN THE VILLAGE OF ALFRED, COUNTY OF ALLEGANY, STATE OF NEW YORK.

BE IT ORDAINED and enacted by the Board of Trustees of the Village of Alfred, State of New York, as follows:

ARTICLE I

Definitions

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

SEC. 1. "BOD" (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 20 degrees C, expressed in milligrams per liter.

SEC. 2. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building wall.

SEC. 3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

SEC. 4. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

SEC. 5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

SEC. 6. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

SEC. 7. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

SEC. 8. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

SEC. 9. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

SEC. 10. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half (1/2) inch in any dimension.

SEC. 11. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

SEC. 12. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm surface, and groundwaters are not intentionally admitted.

SEC. 13. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

SEC. 14. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

SEC. 15. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

SEC. 16. "Sewer" shall mean a pipe or conduit for carrying sewage.

SEC. 17. "Shall" is mandatory. "May" is permissive.

SEC. 18. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

SEC. 19. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

SEC. 20. "Superintendent" shall mean the sanitary sewer superintendent or his authorized deputy, agent, or representative.

SEC. 22. "Watercourse" shall mean a channel in which the flow of water occurs, either continuously or intermittently.

ARTICLE II

Use of Public Sewers Required

SEC. 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Village, any human or animal excrement, garbage, or other objectionable waste.

SEC. 2. It shall be unlawful to discharge to any natural outlet within the limits of the Village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

SEC. 3 Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facilities intended or used for the disposal of sewage.

SEC. 4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Village and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Village, 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 ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within fifty feet (50) of the property line.

SEC. 5. Except as hereinafter provided in Article III, when a public sewer becomes available, the building sewer shall be connected to said sewer within sixty days (60) and the private sewage disposal system shall be cleaned of sludge and filled with clean bankrun gravel or dirt.

ARTICLE III

SEC. 1. Where no public facility is available, and until one becomes available, the owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the Village.

SEC. 2. Notwithstanding the provisions of Article II alone, the owner of all houses, buildings, etc., where public facilities are available may maintain a private sewage disposal system in connection with said building, providing such private facilities comply with the provisions of this Article.

SEC. 3. Before a building permit is issued, and before construction is begun on a structure which will require a private sewage disposal system, the owner or agent thereof shall first receive preliminary approval of the proposed sewage disposal system from the Superintendent.

Preliminary approval will be upon forms provided by the Superintendent.

SEC. 4. The owner or his agent or the lessee or tenant who shall be in responsible charge of any dwelling, school, institution or premises for which a preliminary approval has been obtained, shall have the system, when completed, left uncovered for inspection by a representative of the Village, who shall make final inspection and give final approval before back filling and covering is carried out. If back filling has been completed before final inspection, the owner or his agent will be required to have the work uncovered to permit such inspection.

SEC. 5. A copy of the preliminary approval (or rejection) shall be issued by the Superintendent to the owner or his agent.

SEC. 6. A copy of the Certificate of Approval shall be furnished to the owner or his agent by the Superintendent.

SEC. 7. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Village.

ARTICLE IV

Building Sewers and Connections

Sec. 1. No unauthorized person shall uncover, make any connections with or opening into, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

SEC. 2. There shall be two (2) classes of building sewer permits: (a) for residential and (b) commercial service, and for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Village. The permit application shall be supplemented by any plans, specifications, or other information

considered pertinent in the judgment of the Superintendent. A permit and inspection fee of two dollars (\$2.00) for a residential sewer permit and five dollars (\$5.00) for a commercial or industrial building sewer permit shall be paid to the Village at the time the application is filed.

SEC. 3. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

SEC. 4. 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.

SEC. 5. The size, slope, alignment and materials used in the construction of a building sewer shall be as follows:

- a. Size: All residential building sewers shall be construction of a minimum 4-inch diameter pipe. Minimum sizes for commercial and industrial buildings shall be 4-inches in diameter or of a size necessary to accommodate peak sewage flows which may occur.
- b. Slope: All building sewers shall be laid on a uniform ascending grade from the main sewer. The following grades shall be considered the minimum and maximum grade:

Size	Min. Grade	Max. Grade
4"	1%	20%
6"	0.65%	12%
8"	0.40%	9%
- c. Alignment: All building sewers shall be laid on a straight line from main sewer to the building. Where bends are necessary, a cleanout shall be provided at all bends greater than 1/16 (22-1/2 degrees).
- d. Materials: All building sewers shall be constructed of the following materials:
 - Clay – Extra Strength Vitrified Clay Pipe meeting provisions of ASTM specification C-200.
 - Cast Iron – Extra Heavy Cast Iron Soil Pipe meeting provisions of ASTM Specification A-74.
 - Asbestos – Cement Pipe – Extra strength asbestos cement sewer pipe meeting ASTM Specification C428.
- e. Pipe Joints: Joints on clay pipe shall conform to ASTM Specification C-425, Type 3. Cast Iron Pipe shall have jute and lead or leadite joints, or rubber gasket joints to conform to ASTM Specification C564.
- f. Building Entrance: Through the foundation wall there shall be a minimum 4-inch diameter extra heavy cast iron soil pipe. Immediately inside the building there shall be provided a 4-inch cleanout wye. In no instance shall there be any connections to the building sewer on the street side of the cleanout.

SEC. 6. 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.

SEC. 7. No person shall make connections of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff of groundwater to a building drain which in turn is connected directly or indirectly to a public sewer.

SEC. 8. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

SEC. 9. The applicant for the building permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.

SEC. 10. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village, in accordance with other existing ordinances.

ARTICLE V

Use of the Public Sewers

SEC. 1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

SEC. 2. Stormwater 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. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, or natural outlet.

SEC. 3. No person 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, solids or gas.
- b. Any waters or wastes 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 waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazards in the receiving waters of the sewage treatment plant, including but not limited to, cyanides in excess of (2) mg/liter as CN in the wastes as discharged to the public sewer.

- c. Any waters or wastes having a pH lower than 4.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- d. Solid 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 sewage works such as, but not limited to, ashes, 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, etc., either whole or ground by garbage grinders.

SEC. 4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- a. Any liquid or vapor having a temperature higher than one hundred fifty degrees F. (150 degrees F)
- b. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F.
- c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Superintendent.
- 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, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
- f. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- h. Any waters or wastes having a pH in excess of 10.0.
- i. Materials which exert or cause:
 - (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 and vegetable tanning solutions).
 - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.
- j. Waters or wastes containing substances which are not suitable for treatment or reduction by the sewage treatment process employed, or are suitable for treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

SEC. 5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life, or constitute a public nuisance, the Superintendent 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 discharge, and/or
- d. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this article.

If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, ordinances, and laws.

SEC. 6. Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease 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 shall be located as to be readily and easily accessible for cleaning and inspection.

SEC. 7. Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

SEC. 8. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manholes, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Superintendent. 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.

SEC. 9. All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in this ordinance 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 taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analysis involved will determine whether twenty-four hour (24) composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four hour (24) composites of all outfalls whereas pH's are determined from periodic grab samples.)

SEC. 10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefore, by the industrial concern.

ARTICLE VI

Protection from Damage

SEC. 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to arrest and prosecution as provided by law.

ARTICLE VII

Powers and Authority of Inspectors

SEC. 1. Duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that

point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

SEC. 2. While performing the necessary work on private properties referred to in Article VII, Section 1 above, the Superintendent or duly authorized employees of the Village 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 Village employees and the Village shall indemnify the company against loss or damage to its property by Village 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 such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8.

SEC. 3. The Superintendent and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purpose 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 VIII

Penalties

SEC. 1. Any person found to be violating any provision of this ordinance except Article VI shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

SEC. 2. Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding fifty dollars (\$50.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

SEC. 3. Any person violating any of the provisions of this ordinance shall become liable to the Village for any expense, loss, or damage occasioned the Village by reason of such violation.

ARTICLE IX

Validity

SEC. 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEC. 2. 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.

Anita E. Evans, Village Clerk of the Village of Alfred, Allegany County, New York, does hereby certify that the foregoing is a true and correct copy of the Sanitary Ordinance, for the Village of Alfred, New York, duly adopted by the Village Board of the Village of Alfred,

New York on December 23rd, 1968, after a Public Hearing of which due notice was given by publication in the Alfred Sun, Alfred, New York.

IN WITNESS WHEREOF I have hereinto signed this certificate and attached the seal of the Village of Alfred, New York, this 23rd day of December 1968.

The ordinance will take effect on the 13th day of January, 1969, after publication and posting.

ANITA E. EVANS

Village Clerk

Village of Alfred, New York

SEAL