

Chapter 209
SEWERS AND WATER

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[HISTORY: Adopted by the Town Board of the Town of Springport. Amendments noted where applicable.]

GENERAL REFERENCES

Drainage — See Ch.

Plumbing — See Ch.

Fire prevention and building construction — See Ch.

§ 209-1. Definitions and word usage.

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

ABNORMAL POLLUTANT — Industrial waste, substance or wastewater characteristic in excess of that found in normal sewage, but which is otherwise acceptable into a public sewer under the terms of this chapter.

ABNORMAL POLLUTANT SURCHARGE — The charge levied against any person for services rendered during treatment of abnormal pollutants or waste. This charge is intended to partially defray the added cost of transporting and treating abnormal pollutants or waste. This charge shall be in addition to the usual monthly charge for sanitary sewerage service.

ABNORMAL SEWAGE — Any industrial waste having a suspended solids or BOD content in excess of that found in normal sewage but which is otherwise acceptable into a public sewer under the terms of this chapter.

ABNORMAL SEWAGE PERMIT — A permit approved by and received from the engineer permitting the discharge or deposit of abnormal sewage into a sanitary sewer upon payment of a surcharge.

ABNORMAL SEWAGE SURCHARGE — The charge levied against any person for services rendered during treatment of abnormal sanitary sewage or waste. This charge is intended to partially defray the added cost of transporting and treating abnormal sewage or waste. This charge shall be in addition to the usual monthly charge for sanitary sewerage service.

ACT — The Federal Clean Water Act, as amended.

APPLICANT — The person or persons who have properly applied for permission to hook up and install an acceptable sewer system within an organized Town Sewer Improvement Area.

ASTM — The American Society for Testing and Materials.

BOD STRENGTH INDEX — The measure of the biochemical oxygen demand content of sewage in parts per million (milligrams per liter).

BOD (denoting Biochemical Oxygen Demand) — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees Celsius (20°C.), expressed in milligrams per liter.

BUILDING DRAIN — That part of the lowest horizontal piping of a sewerage system which receives discharge from sewerage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet [one and five-tenths (1.5)] meters) outside the inner face of the building wall.

BUILDING SEWER — The extension from the building drain to the public sewer or other place of disposal.

COOLING WATER — The water discharged from any system of condensation, such as air conditioning, cooling or refrigeration.

ENGINEER — The Engineer of the town or his authorized deputy, agent or representative.

GARBAGE — Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

INDUSTRIAL WASTE PERMIT — A permit to deposit or discharge industrial waste into any sanitary sewer in the town.

INDUSTRIAL WASTES — The liquid wastes from industrial manufacturing processes, trade, business, institutions or other SIC Index, as distinct from sanitary sewage.

LABORATORY DETERMINATION — The measurements, tests and analyses of the characteristics of waters and wastes in accordance with the methods contained in the latest edition at the time of any such measurement, test or analysis of Standard Methods for Examination of Water and Sewage, a joint publication of the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation, or in accordance with any other method prescribed by the Commissioner by rules and regulations promulgated pursuant to this chapter.

NATURAL OUTLET — Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

NORMAL SEWAGE — Sewage which, when analyzed, shows by weight a daily average of not more than two thousand five hundred (2,500) pounds per one million (1,000,000) gallons [three hundred (300) parts per million] of suspended solids and not more than two thousand five hundred (2,500) pounds per one million (1,000,000) gallons [three hundred (300) parts per million] of BOD, and which is otherwise acceptable into a public sewer under the terms of this chapter.

OBJECTIONABLE WASTE — Any wastes that can harm either the sewers, sewer treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or which constitutes a nuisance.

OWNER — The owner of record of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a building.

P (denoting Phosphate) — The total phosphate determined under standard laboratory procedures, expressed in milligrams per liter.

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

pH — The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

POLLUTANT — Any substance or wastewater characteristic present in polluted water or waste.

POLLUTED WATER OR WASTE — Any water or liquid waste containing any of the following: phenols or other substances to an extent imparting taste and odor in receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; noxious odorous gases; more than ten thousand (10,000) parts per million by weight of dissolved solids of which more than two thousand five hundred (2,500) parts per million are chloride; more than ten (10) parts per million each of suspended solids and/or BOD; color exceeding fifty (50) parts per million or having a pH value of less than five point five (5.5) or more than nine point five (9.5); and/or any water or waste not approved for discharge into a stream or waterway by the appropriate state or federal authority.

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

PROPERLY OPERATING SEPTIC SYSTEM — A septic system that meets the Health and Sanitation Code of the County of Cayuga and Health Department standards of the State of New York.

PROPERLY SHREDDED GARBAGE — 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 (½) inch [one and twenty-seven hundredths (1.27) centimeters] in any dimension.

PUBLIC SEWER — A sewer to which all owners of abutting properties have equal rights and which is controlled by public authority.

PUBLICLY OWNED TREATMENT WORKS (POTW) — A treatment works as defined by Section 212 of the Act (33 U.S.C. § 1292). It includes any sewers that convey wastewater to the POTW, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment.

RULES and REGULATIONS — Any additional rules and regulations adopted by the Town of Springport.

SANITARY SEWER — A sewer which carries sewage and to which storm-, surface and ground waters are not intentionally admitted.

SEWAGE — A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater as may be present.

SEWAGE TREATMENT PLANT — Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS — All facilities for collection, pumping, treating and disposing of sewage.

SEWER — A pipe or conduit for carrying sewage.

SEWER INSPECTOR — Any person, agent or representative of the United States Environmental Protection Agency, New York State Department of Environmental Conservation or duly authorized employees of the Cayuga County Health Department.

SEWER RENT — A scale of charges established and imposed in the Town of Springport for service by the sewer system of the Town of Springport.

SIGNIFICANT INDUSTRIAL USER — Any user who:

- (1) Has a discharge flow of twenty-five thousand (25,000) gallons or more per average workday;
- (2) Has a flow greater than five percent (5%) of the flow in the municipality wastewater system;
- (3) Has in his waste toxic pollutants as defined pursuant to Section 307 of the Act;
- (4) Has been identified as one (1) of the twenty-one (21) industrial categories pursuant to Section 307 of the Act; or
- (5) Is found by the town to have significant impact, either singly or in combination with other contributing industries, on the treatment or collection system.

SLUG — 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 concentrations or flows during normal operation.

S. S. STRENGTH INDEX — The measure of the suspended solids content of sewage in parts per million (milligrams per liter).

STANDARD METHODS — Standard Methods for the Examination of Water and Wastewater prepared and published jointly by the American Public Health Association, American Waterworks Association and the Water Pollution Control Federation, latest edition.

STORM SEWER or STORM DRAIN — A sewer which carries storm- and surface waters and drainage, but excludes sewage and polluted industrial wastes other than unpolluted cooling wastes.

STRENGTH INDEX — Both the biochemical oxygen demand index and the suspended solids strength index.

SUSPENDED SOLIDS — 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.

SYSTEM — The trunk sewers, pressure sewers, grinder pump units, interceptors, pumping stations, treatment plants, outfall conduits, and so forth, designed to collect, transmit, treat and dispose of estimated flows and loadings of participants and other users of the system.

UNIT — The base charge for sewer rent established in this chapter.

UNPOLLUTED WATER OR WASTE — Any water or liquid waste containing none of the following: Phenols or other substances to an extent imparting taste and odor in receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; noxious or odorous gases; not more than ten thousand (10,000) parts per million, by weight, of dissolved solids, of which not more than two thousand five hundred (2,500) parts per million are chloride; not more than ten (10) parts per million, nor a pH value of less than five point five (5.5) nor higher than nine point five (9.5); and/or any water or waste approved for discharge into a stream or waterway by the appropriate state or federal authority.

WATERCOURSE — A channel in which a flow of water occurs, either continuously or intermittently.

- B. “Shall” is mandatory; “may” is permissive.

§ 209-2. Use of public sewers required.

- A. It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the town or in any area under the jurisdiction of said town any human excrement, garbage or other objectionable waste.
- B. Unless specifically allowed by written permit of the Town Board, there shall be no deposit, spreading, filling or storage in any manner of organic chemical or industrial chemical material within the town. This shall include sludges and other sewage plant by-products. This shall not be construed to apply to farm animal manure and its utilization or the use of Department of Environmental Conservation (DEC) and Environmental Protection Agency (EPA) approved farm chemicals.
- C. It shall be unlawful when sewer and/or treatment facilities are available to discharge to any natural outlet within the town or in any area under the jurisdiction of said town any sanitary sewage, industrial wastes or other polluted waters, unless specifically permitted by the town and except where a federal National Pollutant Discharge Elimination Systems (NYDES) permit has been duly issued and is currently valid for such discharge. A valid copy of such a permit, and any modifications thereof, must be filed with the town for an exception under this section of this chapter.
- D. It shall be unlawful to construct any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage in an area where public sewers are available, unless specifically permitted by the town or as hereinafter provided. If application is made to the town for a temporary type toilet facility, and if said applicant has heretofore obtained the approval of the Cayuga County Health Department, said town may consent to the usage of the same for a temporary period not to exceed one hundred eighty (180) days in an area where public sewers are available.

- E. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the town and abutting on any street, alley or right-of-way in which there is now located a public sanitary sewer 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 chapter within (90) days after the date of official notice to do so, provided that said public sewer is within two hundred (200) feet [thirty and five-tenths (30.5) meters] of the property line in residential and commercial areas and within five hundred (500) feet [one hundred fifty-two and four-tenths (152.4) meters] of the property line in industrial areas, except where an existing house, building or property is served by a properly operating septic system, which shall be evidenced by a certificate of approval from the Cayuga County Health Department submitted to the Sewer District by the homeowner. The certificate will remain in effect for five (5) years, unless a complaint is registered or the Sewer District requests recertification. Upon receipt of a complaint or request of the Sewer District, a building owner will have thirty (30) days in which to obtain a certificate of approval from the Cayuga County Health Department submitted to the Sewer District by the homeowner. The certificate will remain in effect for five (5) years, unless a complaint is registered or the Sewer District requests recertification. Upon receipt of a complaint or request of the Sewer District, a building owner will have thirty (30) days in which to obtain a certificate of approval from the Cayuga County Health Department. In the case where a septic system is not properly operating, the owner of such facilities shall, within (90) days after official notice to do so, enact improvements to correct such deficiencies so as to institute a properly operating septic system or hook up to the public sewer system.

§ 209-3. Private sewage disposal.

- A. Where a public sanitary sewer is not available under the provisions of 209-2E, the building sewer shall be connected to an approved private sewage disposal system.
- B. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the town and shall be consistent with such provisions of § 209-2E as apply to such private facilities.

§ 209-4a. **Building sewers and connections**

- A. These regulations shall apply to all sewer connection work to either gravity sewers or low pressure sewers, including the grinder pump stations hereafter installed in the Town of Springport for the disposal of sanitary sewage and house wastes through the public sewers.
- B. All requests for new service shall be presented to the Town Board, and shall be subject to the following conditions:
 - 1. There shall be an access fee charged for connections to existing grinder pump stations for new customers of five thousand *five hundred* (~~\$5,500.00~~) dollars, and the Town of Springport reserves the right to increase the access fee to reflect additional costs associated with new service.
 - 2. Where a new grinder pump station is required for new service, there shall a minimum charge of five thousand ~~(\$5,500.00)~~ dollars, and the Town of Springport reserves the right to increase the access fee to reflect additional costs associated with new service. *five hundred*
 - 3. Connections to the sewer district are prohibited without first applying to the Town of Springport and approval has been granted.
- C. Each building which is served by a public sewer must be connected separately and independently with the public sewer. No multiple connections involving two (2) or more buildings will be permitted, except by written approval of the Town Board.
- D. All connections to grinder pump stations shall conform to the specifications prescribed in Subparagraph E of § 209.4.
- E. All connections to gravity sewers shall conform to the specifications prescribed in Subparagraph G of § 209.4.

- F. The Town Board may, upon presentation of adequate evidence by the Code Enforcement Officer, stop and prevent the discharge into the sewers or grinder pump stations of any substance deemed by it liable to injure the sewers or grinder pump stations or to interfere with their normal operation or to obstruct the flow or to hinder any process of sewage purification.
- G. 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 written permit from the Town of Springport.
- H. All building sewers and drains shall be separated from potable house water connections by impervious soil layers measuring one and five-tenths (1.5) feet clear out to out in a vertical direction when the waterline is benched on undisturbed soil or as required by the Cayuga County Health Department, the New York State Health Department and/or the New York State Uniform Fire Prevention and Building Code.

§ 209-4. Building sewers and connections.

- A. These regulations shall apply to all sewer connection work to either gravity sewers or low pressure sewers, including the grinder pump stations hereafter installed in the Town of Springport for the disposal of sanitary sewage and house wastes through the public sewers.
- B. The sanitary sewer connection work to the public sewer shall be completed within ninety (90) calendar days after the date of official notice to do so has been issued by the Town Board or its authorized representative.
- C. The Town Board may, upon presentation of adequate evidence by the Code Enforcement Officer, stop and prevent the discharge into the sewers or grinder pump stations of any substance deemed by it liable to injure the sewers or grinder pump stations or to interfere with their normal operation or to obstruct the flow or to hinder any process of sewage purification.
- D. Each building which is served by a public sewer must be connected separately and independently with the public sewer. No multiple connections involving two (2) or more buildings will be permitted, except by written approval of the Town Board.
- E. All connections to grinder pump stations shall be made in accordance with the following specifications:
 - (1) Sewer connections shall be laid solidly on a true grade of not less than one-quarter ($\frac{1}{4}$) inch per foot. They shall be laid in a straight line. Change in direction, if necessary, shall be made with proper fittings. All pipes shall be clear of dirt or other foreign materials as the work progresses.
 - (2) The fill over and around the pipe up to a depth of one (1) foot over the top of the pipe must be carefully selected material, free from clay, large stones or debris. It shall be carefully compacted.
 - (3) Adequate cleanouts shall be installed not over fifty (50) feet apart so that at all times the route of flow can be rodded or cleaned mechanically between the building and the grinder pump unit.
 - (4) All materials used shall be in accordance with Chapter 194, Plumbing.
 - (5) All work must be inspected by the Code Enforcement Officer or his authorized representative. No work shall be inspected or approved unless the trench is open for its entire length and all pipe and joints visible. Any trench backfilled before such inspection is made and the work approved shall be reopened for its entire length by the party performing the work. The party performing the work shall notify the Code Enforcement Officer, giving at least twenty-four (24) hours notice in advance of the time when the connection will be laid and ready for inspection.

- (6) No connection will be permitted for draining stormwater, roof water, surface water from roads, driveways, lawns, groundwater runoff, subsurface drainage, cooling water, cellar drains, including sump pumps or other ponded water. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated by the town.
- F. All requests for new service shall be presented to the Town Board.
- G. All connections to gravity sewers shall be made in accordance with the following specifications:
- (1) All materials used shall be in accordance with Chapter 194, Plumbing. Any part of the building sewer that is located within ten (10) feet of water service pipe shall be constructed of restraint joint pressure pipe suitable for watermains. If installed in filled or unstable ground, the building sewer shall be of cast-iron soil pipe, except that nonmetallic material may be accepted if laid on a suitable concrete bed or cradle, as approved by the town. Infiltration of groundwater into any sewer shall not exceed one hundred (100) gallons per inch diameter per mile of sewer per day. The town may require infiltration tests on any sewer.
 - (2) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of Chapter 132, Fire Prevention and Building Construction, and Chapter 194, Plumbing, or other applicable rules and regulations of the Town of Springport, but in no event shall the diameter be less than four (4) inches. The slope shall be one-quarter (1/4) inch per foot, unless otherwise permitted. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials and the Water Pollution Control Federation Manual of Practice No. 9 shall apply.
 - (3) Whenever 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 or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade. The line shall be straight. Changes in direction greater than forty-five degrees (45°) shall be provided with cleanouts accessible for cleaning or manholes, when approved by the town.
 - (4) In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by artificial means, approved by the town, and discharged to the building sewer.

- (5) The connection of the building sewer into the public sewer shall conform to the requirements of Chapter 132, Fire Prevention and Building Construction, and Chapter 194, Plumbing, or other applicable rules and regulations of the town, and/or the procedures set forth in appropriate specifications of the American Society for Testing and Materials and the Water Pollution Control Federation Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the town before installation.
 - (6) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, footing drains, floor drains or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer.
 - (7) The applicant for the building sewer permit shall notify the town when the building sewer is ready for inspection and connection to the public sewer. The connections shall be made under the supervision of the town.
 - (8) All excavations for building sewer installations 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 town.
- H. 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 written permit from the town.
- I. All building sewers and drains shall be separated from potable house water connections by impervious soil layers measuring one and five-tenths (1.5) feet clear out to out in a vertical direction when the waterline is benched on undisturbed soil or as required by the Cayuga County Health Department, the New York State Health Department and/or the New York State Uniform Fire Prevention and Building Code.

§ 209-5. Discharge of water.

- A. No person shall discharge or cause to be discharged any stormwater, groundwater, roof runoff, subsurface drainage, or drainage from downspouts, yard drains, sump pumps, yard foundations and ponds or lawn sprays into any sanitary sewer, except as provided by these Rules and Regulations. Water from swimming pools, unpolluted industrial water, such as water drains, blowoff pipes or cooling water from various equipment, shall not be discharged into sanitary sewers if a closed storm sewer is available. If a closed storm sewer is not available, such water may be discharged into the sanitary sewer by indirect connection whereby such discharge is cooled, if required, and flows into the sanitary sewer at a rate not in excess of five (5) gallons per minute, provided that the waste does not contain materials or substances in suspension or solution in violation of the limits prescribed by this chapter.

- B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Engineer. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Engineer, to a storm sewer, combined sewer or natural outlet.

§ 209-6. Industrial discharges.

- A. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
- (1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
 - (2) 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 sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including; but not limited to, cyanides in excess of two (2) milligrams per liter as CN in the wastes as discharged to the public sewers.
 - (3) Any waters or wastes having pH lower than five point five (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
 - (4) 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.
 - (5) Any noxious or malodorous substances which can form a gas which, either singly or by interaction with other wastes, is capable of causing objectionable odors or hazards to life or form solids in concentration exceeding limits established in this chapter, or creates any other condition deleterious to structures or treatment processes or requires unusual provisions, attentions or expense to handle such material.
 - (6) Cooling water shall not be discharged into any public sewer unless it is unpolluted and below one hundred fifty degrees Fahrenheit (150° F.). If in the opinion of the town lower temperatures of such wastes can harm either the sewers, sewer treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance, the town may prohibit such discharges.
 - (7) Any substance which cause the POTW's effluent or any other product of the POTW, such as residues, sludge or scums, to be unsuitable for reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or

disposal criteria, guidelines or regulations affecting sludge use or disposal development pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act or state criteria applicable to the sludge management method being used.

- B. 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 town, that such wastes can harm either the 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 its opinion as to the acceptability of these 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:
- (1) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150° F.) [sixty-five degrees Celsius (65° C.)] or in such quantities that the temperature at the treatment works influent exceeds one hundred forty degrees Fahrenheit (140° F.) [forty degrees Celsius (40° C.)].
 - (2) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two degrees and one hundred fifty degrees Fahrenheit (32° and 150° F.) [zero degrees and sixty-five degrees Celsius (0° and 65° C.)].
 - (3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths ($\frac{3}{4}$) horsepower [seventy-six hundredths (0.76) metric horsepower] or greater shall be subject to the review and approval of the Engineer.
 - (4) Any waters or wastes containing strong-acid iron-pickling wastes or concentrated plating solutions, whether neutralized or not.
 - (5) 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 is in excess of the concentrations prescribed herein, or other substances that exceed the limits established by the town for such materials.
 - (6) Salts of heavy metal in solution or suspension in concentrations exceeding the following or elements which will damage collection facilities or are detrimental to treatment processes:

Substance	Concentration (milligrams per liter)
Chromium (as Cr)	0.25
Copper (as Cu)	0.2
Zinc (as Zn)	0.5
Nickel (as Ni)	1.0
Cadmium	0.1
Arsenic	0.05
Barium	1.0
Boron	1.0
Lead	0.05
Manganese	1.0
Mercury	0.005
Selenium	0.02
Silver	0.05

- (7) Any waters or wastes containing phenols or other taste- or odor-producing substances in such concentrations exceeding limits which may be established by the Engineer as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies or jurisdictions for such discharge to the receiving waters.
- (8) Any waters or wastes having pH in excess of nine point five (9.5).
- (9) Materials which exert or cause:
- (a) Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (c) Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (d) Unusual volume of flow or concentration of wastes constituting slugs, as defined herein.
- (10) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies.

- (11) Any water or waste that contains more than ten (10) parts per million of the following gases: hydrogen sulfide, sulfur dioxide or nitrous oxide.
- C. Drains receiving acid waste shall be constructed of any acid-resisting material. Such drains located outside of a building shall be constructed of vitrified clay or earthenware pipe or other approved acid-resisting material. Joints shall be constructed by caulking with asbestos rope wicking and pouring a heated sulfur and carbon compound or a heated bituminous compound in such manner as to secure tight joints. In no case shall corrosive waste be discharged into a drain, sanitary sewer, storm sewer or soil or waste pipe without being first diluted or neutralized in such manner as to render such wastes noncorrosive. These wastes shall be treated by passing through a properly trapped dilution or neutralizing catch basin which shall function automatically.
- D. 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 Subsection B of this section and which, in the judgment of the town, 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 Engineer may:
- (1) Reject the wastes;
 - (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
 - (3) Require control over the quantities and rates of discharge; and/or
 - (4) 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 Subsection I of this section.
- E. If the town 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 town and subject to the requirements of all applicable codes, ordinances and laws.
- F. Grease, oil and sand interceptors shall be provided when, in the opinion of the town, they are necessary for the proper handling of liquid wastes containing 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 Engineer and shall be located as to be readily and easily accessible for cleaning and inspection.
- G. 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.

- H. The admission into the public sewers of any waters or wastes of abnormal strength or containing any quantity of substances having characteristics described in this section or having an average daily flow greater than two percent (2%) of the average daily sewage flow of the town shall be subject to review and approval of the town. Where necessary, in the opinion of the town, the owner shall provide, at his expense, such preliminary treatment as may be necessary to reduce the five-day BOD, suspended solids, phosphate or objectionable characteristics or constituents to within the maximum limits provided for in this section or control the quantities and rates of discharge of such waters or wastes. Plans, specifications and other pertinent information relating to proposed preliminary treatment facilities shall be prepared and submitted by a qualified engineer for the approval of the town, and no construction of such facilities shall be commenced until said approvals are obtained in writing.
- I. Where the strength of sewage from an industrial, commercial or institutional establishment exceeds three hundred (300) parts per million of biochemical oxygen demand or three hundred (300) parts per million by weight or suspended solids or the total phosphorous, measured as P, is greater than ten (10) parts per million by weight and where such wastes are permitted to be discharged to the sewer system by the town, an added charge, as noted below, will be made against such establishment according to the strength of such wastes. The strength of such wastes shall be determined by composite samples taken over a sufficient period of time to ensure a representative sample. The cost of sampling and testing shall be borne by the industry or establishment, whether owner or lessee. Tests shall be made by an independent laboratory. Added charges shall be determined by the town in their rules and regulations governing abnormal pollution surcharges. These charges shall be based on the cost of operation, maintenance, administration, depreciation, and amortization plus sufficient coverage for the sewage works.
- J. Where preliminary treatment facilities are provided for any waters and wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- K. The owner of any property served by a building sewer carrying industrial wastes shall install a wastewater flow meter and sampling device in a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the town. 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.
- L. To determine the sewage flow from any establishment, the Engineer may use one (1) of the following methods:
- (1) The amount of water supplied to the premises by the town or a private water company as shown upon the water meter if the premises are metered;
 - (2) If the premises are supplied with river water or water from private wells, the amount of water supplied from such sources as estimated by the town from the water, gas or

electric supply;

- (3) If such premises are used for an industrial or commercial purpose of such nature that the water supplied to the premises cannot be entirely discharged into the sewer system, the estimate of the amount of sewage discharged into the sewer system made by the town from the water, gas or electric supply;
- (4) The number of gallons of sewage discharged into the sewer system as determined by measurements and samples taken at a wastewater flow meter and sampling device installed by the owner of the property served by the sewer system at his own expense, in accordance with the terms and conditions of the permit issued by the town pursuant to this section; or
- (5) A figure determined by the town by any combination of the foregoing or by any other equitable method.

M. Industrial permits.

- (1) No industrial wastewater shall be discharged to a trunk sewer or a sewer discharging directly or indirectly to a trunk sewer until a permit for industrial wastewater discharge has been approved by the town.
- (2) Permit applications shall include volume, constituents and characteristics of wastewater, flow rates, each product produced by type, amount and rate of production, and a description of activities, facilities and plant process on the premises, including all materials processed and types of materials which are or could be discharged.
- (3) On industrial user permits, terms and conditions may be rescinded or subject to modification and change by the Town Board of the Town of Springport.
- (4) The maximum time period for the permit to discharge shall be four (4) years, which may be renewed by approval of the Town Board of the Town of Springport.
- (5) A permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation.
- (6) An industrial discharger shall apply for a permit modification if production or process is changed so that the wastewater characteristics or flow is altered.
- (7) When pretreatment regulations are adopted by the United States Environmental Protection Agency (USEPA) or New York State Department of Environmental Conservation (NYSDEC) for industry, then that industry must immediately conform to the USEPA or NYSDEC timetable for adherence to federal or state pretreatment requirements and any other applicable requirements promulgated by USEPA or NYSDEC in accordance with Section 307 of the PL 95-217. Additionally, such

industries shall comply with any more stringent standards necessitated by local conditions as determined by the town.

- N. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town subject to payment therefor by the industrial concern.

§ 209-7. Protection from damage.

No unauthorized person shall enter or maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the municipal sewage works.

§ 209-8. Power and authority of inspectors.

- A. The Sewer Inspector or other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter all sewer properties for the purpose of inspection, observation, measurement, sampling, maintenance and testing for conformance with the provisions of this chapter within forty-eight (48) hour proper notification or with a suitable writ issued by a court of law. The Engineer 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.
- B. The Sewer Inspector bearing proper credentials and identification may also have the right within forty-eight (48) hour proper notification or with a suitable writ issued by a court of law to enter all properties for the purpose of determining if a septic system is operating properly as provided in § 209-2.
- C. While performing the necessary work on private properties referred to in Subsection B above, the Engineer and/or duly authorized employees of the town 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 town employees, and the town shall indemnify the company against loss or damage to its property by town 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 by this chapter.
- D. The Engineer and/or other duly authorized employees of the Town Sewer District bearing proper credentials and identification may be permitted to enter all private properties through which the district 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 and Subsection b of this section.

§ 209-9. Penalties for offenses.

- A. Any violation of § 209-2, 209-4 or 209-5 of this chapter is hereby declared a violation, except as otherwise provided by law. Any person who violates the provisions of § 209-2, 209-4 or 209-5, upon conviction thereof in a court of competent jurisdiction, may be punished by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for a term of not more than fifteen (15) days, or both, and each day on which there is a failure to comply shall be and is hereby declared to be a distinct and separate offense and punishable as such.
- B. Any violation of § 209-6 is hereby declared a misdemeanor except as otherwise provided by law. Any person who violates the provisions of § 209-6, upon conviction thereof in a court of competent jurisdiction, may be punished by a fine of not more than ten thousand dollars (\$10,000.), and each day on which there is a failure to comply shall be and is hereby deemed to be a distinct and separate offense and punishable as such.
- C. Any person violating any of the provisions of this chapter shall become liable to the district for such expense, loss or damage occasioned the district by reason of such violation.

§ 209-10. Industry cost recovery formulas; sewer rents.

- A. All industry cost recovery formulas used by the town shall be same as those of the Cayuga County Sewer Authority and/or the Village of Union Springs as they now exist or as they may change from time to time.
- B. Rates for sewer rents.
 - (1) Pursuant to Article 14-F of the General Municipal Law of the State of New York, there are hereby established the following sewer rents for producing revenue for all improvement districts within the Town of Springport.
 - (2) The sewer charge for services to real property within the Town of Springport improvement districts shall be as follows:
 - (a) Each owner or other person in control of premises using the POTW shall pay a sewer rent for wastewater disposal, which rent shall be determined annually by the Town of Springport within the sewer budget. Each dwelling unit (EDU) and each commercial, institutional and industrial user within any of the Town of Springport sewer improvement districts shall be responsible for payment of an equivalent dwelling unit charge based upon one (1) such unit for each forty

thousand (40,000) gallons of water consumed per year.

- (3) Consumption of water shall be based upon the most recent annual reading prior to the rent levy or the best estimate of the Town of Springport.
- (4) The rate per unit and gallons per unit shall be established from time to time by resolution of the Town Board.
- (5) Sewer rents shall constitute a lien upon the real property served by the sewer system pursuant to Article 14-F of the General Municipal Law. Sewer rents will be billed annually as provided by said law, which bill will provide that if not paid within thirty (30) days of the date of said bill, a penalty in the amount of ten percent (10%) will be added. Any unpaid bills shall be presented in the form of notice of lien to the Cayuga County Legislature on or before November 1 of any year, which Board shall levy the amounts contained in such statement against the real property liable at the same time and in the same manner as county or town taxes. Said amount shall be set forth in a separate column in the annual tax rolls. The amounts so levied, including penalty, shall be collected and enforced in the same manner and at the same time as may be provided by law for the collection and enforcement of county and town taxes.
- (6) Sewer rents shall become due and payable thirty (30) days after billings as above provided, which billing will be based upon operation and maintenance (O & M) charges as set forth in the annual budget of the Town of Springport pursuant to this section.
- (7) Each equivalent dwelling unit receiving sewer service and subject to sewer rents pursuant hereto not being assessed a direct capital sewer charge pursuant to this section shall be liable for a sewer charge for sewer rent in an amount to be determined by the Town Board based on budget requirements per EDU per year such unit is not paying an assessed valuation charge for sewer service in addition to the sewer rent provided in this section.

§ 209-11. Intent; construal of provisions.

The terms, conditions, rules, regulations, definitions, requirements, restrictions, use, charges, rates, permits, power and authority of inspectors and penalties contained in this chapter and the rules and regulations of the town are complementary, and what is called for by any one (1) shall be as binding as if called for by both.

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FAX COVER SHEET

Date: 7/11/05

Fax #: 7/11/05

To: DEBBIE Waldron

RE: Water + Sewer Ordinance

From: Earle E. Thurston, Esq.

Total Pages Including Cover: 10

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MESSAGE: DEBBIE: Here are draft of amendments to Sewer Ordinance (2 pages) and Water Ordinance (7 pages) is discussed. It would probably be best to have a meeting with whoever is the "point person" for the town to review these changes and/or others prior to final draft. Let me know
Earle

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Amendments to the Sewer Ordinance

Section 209-4 (F): All requests for new service shall be presented to the Town for approval.

The access fee for ~~grinder pump installation~~ *For new customers*

connection to an existing grinder pumps

a minimum of ~~and \$5000~~ *\$5000* shall be paid prior to approval

and the ~~law~~ *law* for such ~~installation or~~ connection.

Placement for a new grinder pump shall be at

the existing property line. If the homeowner

does not agree to this placement, an additional

fee of \$2000 will be charged.

Amendments to the Water Ordinance

Section III Installation of Service

Connections from the water main to and including the curb stop and box will be made by the District at a charge to the owner at the prevailing rate plus the cost of materials.

The cost for installation of a new grinder pump shall be a minimum of \$5000 and the Town ~~reserves the right~~ *reserves the right* to increase this ~~cost~~ *cost* if or when the costs of grinder pumps and related materials increase

~~Both of these fees must be paid prior to approval for such an installation or connection.~~