

DELMAR-ELSMERE
SEWER DISTRICT

*

TOWN OF BETHLEHEM
Albany County, New York

*

LOCAL LAW NO. 5
Of 1986

(Sewer Ordinance)

LOCAL LAW NO. 5 OF 1986

of the

TOWN OF BETHLEHEM

A Local Law Regulating The Use Of Public And Private Sewers and Drains Within The Delmar-Elsmere Sewer District, Town of Bethlehem.

BE it enacted by the Town Board of the Town of Bethlehem, County of Albany, State of New York as follows:

ARTICLE I
Definitions

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

SECTION 101. "District" shall mean the Bethlehem Sewer District including Delmar-Elsmere Sewer District and Extensions in the Town of Bethlehem, Albany County, New York.

SECTION 102. "Town" shall mean the Town of Bethlehem, Albany County, New York.

SECTION 103. "District Boundaries" shall mean the physical boundaries as presently established or as may be extended from time to time as duly provided by Town Law.

SECTION 104. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

SECTION 105. "Commissioner" shall mean the Commissioner of the Department of Public Works of the Town of Bethlehem or his authorized deputy, agent, or representative.

SECTION 106. "Engineer" shall mean any Professional Engineer retained as Engineer for the District.

SECTION 107. "Town Board" shall mean the duly elected Town Board of the Town of Bethlehem, or their authorized deputy or representative.

SECTION 108. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

SECTION 109. "Sewer" shall mean a pipe or conduit for carrying sewage, subject to the control and direction of the District.

SECTION 110. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

SECTION 111. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

SECTION 112. "Storm Sewer" or "Storm Drain" shall mean a conduit or pipe for carrying storm, surface, and ground waters.

SECTION 113. "Residential Service" shall mean any service from which the wastes are of a domestic nature only.

SECTION 114. "Commercial Service" shall mean any service from business buildings or institutions from which the wastes are not predominantly industrial.

SECTION 115. "Industrial Service" shall mean any service from which the wastes are predominantly industrial.

SECTION 116. "Domestic Sewage" shall mean only that sewage discharged into the sanitary sewer through the building drain from lavatories, bathrooms, sinks, laundry tubs, etc., and shall not include drainage from underground drain tile or water from beneath the cellar floor and foundation of a building or structure, or other areas.

SECTION 117. "Water Pollution Control Plant" shall mean any arrangement of devices and structures used for treating sewage.

SECTION 118. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

SECTION 119. "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

SECTION 120. "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 ½ inch in any dimension.

SECTION 121. "Building Drain" shall mean the 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 sewer, beginning 5 feet outside the inner face of the building wall.

SECTION 122. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

SECTION 123. "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 5 days at 20 degrees C., expressed in parts per million by weight.

SECTION 124. “pH” shall mean the logarithm of the reciprocal of the concentration of hydrogen ions in gram ionic weights per liter of solution.

SECTION 125. “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.

SECTION 126. “Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

SECTION 127. “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 128. “Person” shall mean any individual firm, company, association, society, corporation, or group.

SECTION 129. “Owner” shall mean any individual, firm, company, association, society, corporation, or group.

SECTION 130. “Developer” shall mean any person, persons, or corporation who undertake to construct simultaneously more than one housing unit on a given tract or land subdivision.

SECTION 131. “Builder” shall mean any person, persons, or corporation who undertake to construct, either under contract or for resale within two years, any habitable building.

SECTION 132. “Shall” is mandatory. “May” is permissive.

SECTION 133. “Contractor” shall mean any person, firm, or corporation approved by the Commissioner to do work in the Town of Bethlehem.

SECTION 134. “Property Line” shall mean the edge of a sewer right-of-way in those instances where the building sewer connects to the public sewer located in a right-of-way. “Property Line” shall also mean the edge of the street right-of-way in those instances where the building sewer connects to a public sewer located off or in the paved portion of the street.

SECTION 135. “A.S.T.M.” shall mean latest edition of American Society for Testing and Materials.

SECTION 136. “Chlorine Requirement” or chlorine demand shall mean the number of parts per million (ppm) of chlorine required to be added to the sewage to produce a residual chlorine content of 1.0 ppm after 30 minutes contact of the chlorine with the sewage.

ARTICLE II

Use of Public Sewers Required

SECTION 201. It shall be unlawful for any person to place, deposit, or permit to be deposited upon public or private property within the District, or in any area under the jurisdiction of said District, any human or animal excrement, garbage, other objectionable waste.

SECTION 202. It shall be unlawful to discharge to any natural outlet, either directly or through any storm drain, within the District, or in any area under the jurisdiction of the District, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Local Law. Use of separate storm drains and sanitary sewers is mandatory. Construction of new facilities on streets not presently served by sewers shall be separate storm and sanitary systems. No combined sewers shall be allowed.

SECTION 203. Within the limits of the established sewer district the use of septic tanks or cesspools is prohibited except by permit issued by the Commissioner upon finding that it would be physically impossible or would work an undue hardship upon the owner or owners of the property in question to establish a connection to a sewer main. If and when such a permit is issued by the Commissioner for a septic tank, the installation of such a septic tank shall be accomplished as prescribed by the Albany County Department of Health and shall continue in use only so long as an established sewer main is not accessible.

SECTION 204. The Owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the District 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 District, is hereby required at his expense to install suitable plumbing facilities therein, and to connect such facilities directly to the proper public sewer in accordance with the provisions of this Local Law, within ninety (90) days after the date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

ARTICLE III

Private Sewage Disposal

SECTION 301. Where a public sanitary sewer is not available under the provisions of Section 204, the building sewer shall be connected to a private sewage disposal system complying with the provisions established by the Albany County Department of Health.

SECTION 302. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit from the Albany County Health Department and may be supplemented by any plans, specifications and other information as are deemed necessary the Albany County Health Department.

SECTION 303. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Albany County Health Department. The applicant shall notify the Albany County Health Department when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Albany County Health Department.

SECTION 304. The type, capacities, locations and layout of a private sewage disposal system shall comply with all recommendations of the Department of Health of the State of New York. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

SECTION 305. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at his own expense and at no expense to the District.

SECTION 306. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 204, a direct connection shall be made to the public sewer in compliance with this Local Law and any septic tanks, cesspools, and similar private sewage disposal facilities shall be cleaned of sludge and liquid, abandoned and filled with suitable material.

SECTION 307. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the authorized representative of the Albany County Department of Health or the New York State Department of Health.

ARTICLE IV

Building Sewers, Connections and Fees

SECTION 401. No person 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 form the District.

SECTION 402. There shall be three (3) classes of building sewer permits: (1) for residential, (2) for commercial service, and (3) for service to establishments producing industrial wastes. In any case, the Owner or his agent shall make application on a special form furnished by the District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Commissioner. The permit and inspection fees shall be as established by the Town Board and be filed with the Town Clerk.

SECTION 403. 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 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. In such cases, approval shall be obtained from the Commissioner prior to installation of the building sewer.

SECTION 404. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Commissioner, to meet all requirements of this Local Law.

SECTION 405. The building sewer shall be constructed and installed in conformance with the specifications and requirements as established by the Commissioner.

SECTION 406. The size and slope of the building sewer shall be subject to the approval of the Commissioner.

SECTION 407. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. Any openings, such as clean out hand holes in traps, in house drains, cellar drains, etc., shall be not lower then the level of the finished basement floor. No building sewer shall be laid parallel to and within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes indirection shall be made only with properly curved pipe and fittings.

SECTION 408. 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 approved and mechanical means and discharged to the building sewer.

SECTION 409. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Commissioner. Pipe laying and backfill shall be performed in accordance with specifications of the District as established by the Commissioner and in full accordance with the local building code. No backfill shall be placed until the work has been inspected and approved by the Commissioner.

SECTION 410. All joints and connections shall be made gastight and watertight.

SECTION 411. The connection of the building sewer into an existing public sewer shall be made at the property line. If a building sewer connection has not previously been provided, the building sewer will be constructed from the existing public sewer to the property line by the Owner, after obtaining the necessary permit. The cost of constructing the building sewer from the public sewer to the property line will be at the Owner's expense. All subsequent costs and expense incidental to the installation, connection and maintenance of the building sewer shall be borne by the Owner. The Owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation and maintenance of the building sewer. The method of connection of the building sewer will be dependent upon the type of sewer material used and in all cases shall be approved by the Commissioner.

SECTION 412. The applicant for the building sewer permit shall notify the Commissioner when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Commissioner.

When trenches are opened for the laying of building sewer pipes, such trenches shall be inspected by the Commissioner before the trenches are backfilled; and the Contractor performing such work shall notify the Commissioner when the laying of building sewer is completed. The backfilling of a trench before inspection is made or approval given, will subject the Contractor to a penalty of not to exceed \$250. for each offense, and the trench shall be reopened for inspection at the expense of the Contractor.

In case of violation of any of the rules and regulations of the District by a Contractor, or other persons in his employ, he (the Contractor) may be suspended or his recognition may be removed by the Commissioner.

SECTION 413. All excavations for building sewer installation shall be adequately protected with barricades and lights so as to protect the public from hazard. An indemnity bond will be required to be posted before a permit will be granted to excavate. All excavations must be properly refilled, tamped at intervals and the original type of surface be replaced. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Commissioner or other authority having jurisdiction.

SECTION 414. In the case of the demolition of a building, within the District, which has a building sewer, the Owner is responsible for properly capping the building sewer at the property line to prevent entry of dirt, debris or any foreign substances into the public sewer. This shall be accomplished under the supervision of the Commissioner.

ARTICLE V

Sewer Extensions

SECTION 501. All extensions to the sanitary sewer system owned and maintained by the District shall be properly designed in accordance with the Recommended Standards for Sewage Works, as adopted by the Great Lakes-Upper Mississippi River Board of the State Sanitary Engineers and in strict conformance with all requirements of the New York State Department of Health.

Plans and specifications for sewer extensions shall be submitted to, and approval obtained from the Commissioner and the Albany County Department of Health before construction may proceed. The design of sewers must anticipate and allow for flows from all possible future extensions and developments within the immediate drainage area.

SECTION 502. Sewer extensions, including individual building sewer laterals to the property line, may be constructed by the District under public contract, if in the opinion of the Town Board, the number of properties to be served by such extension warrants its cost. Under this arrangement the property owner shall pay for and install the building sewer from the property line to his residence or place of business in accordance with the requirements of Article IV. Property owners may propose sewer extensions within the District by drafting a written petition, signed by a majority of the benefiting property owners, and filing it with the Town Board.

SECTION 503. If the Town Board does not elect to construct a sewer extension under public contract, the property owner, builder or developer may construct the necessary sewer extension if this extension is approved by the Town Board in accordance with the requirements of Section 501. The property owner, builder or developer must pay for the entire installation, including all expenses incidental thereto. Each building sewer installed must be installed and inspected as previously required and the inspection fee shall be paid. Design of sewers shall be as specified in Section 504. The installation of the sewer extension must be subject to inspection by the Commissioner and the expenses for this inspection shall be paid for by the owner, builder or developer. The Commissioner's decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the exfiltration test required in Section 504 before any building sewer is connected thereto. The entire cost of the sewer extension thus made shall be absorbed by the developers or benefiting property owners.

SECTION 504. Sewer design shall be in accordance with the standards and specifications as established by the Commissioner.

SECTION 505. All sewers shall satisfy requirements of a final exfiltration test before they will be approved and sewage flow accepted from them by the District. This test consists of filling the pipe with water to provide a head of at least five (5) feet above the top of the pipe or five (5) feet above groundwater, whichever is higher, at the highest point of the pipe line under test, and then measuring the loss of water from the line by the amount which must be added to maintain the original level. In this test, the line must remain filled with water for at least twenty-four (24) hours prior to the taking of measurements. Exfiltration shall be measured by the drop of water level in a standpipe with closed bottom end, or in one of the sewer manholes available for convenient measuring.

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

The total leakage of any section tested shall not exceed the rate of 130 gallons per mile of pipe per 24 hours per inch of nominal pipe diameter. For purposes of determining the maximum allowable leakage, manholes shall be considered as sections of 48-inch diameter pipe, five (5) feet long. The equivalent leakage allowance shall be 4.5 gallons per manhole per 24 hours for 48-inch diameter manholes. If leakage exceeds the specified amount, the necessary repairs or replacements required shall be made to permanently reduce the leakage to within the specified limit, and the tests shall be repeated until the leakage requirement is met.

SECTION 506. All sewer extensions constructed at the property owner's, builder's or developer's expense, after final approval and acceptance by the Commissioner, shall become the property of the District and shall thereafter be maintained by the District. Said sewer extensions after their acceptance by the District, shall be guaranteed for one year by the builder or developer. The guarantee shall be in such form and contain such provisions as provided for by the District. At the sole discretion of the District a completion bond or bank check may be demanded as part of the guarantee.

SECTION 507. No builder or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities within the District, unless a suitable and approved method of waste disposal is proposed. All new housing or building developments shall be provided with an approved system of sanitary sewers.

ARTICLE VI

Use of Public Sewers

SECTION 601. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, subsurface drainage, cooling water or unpolluted industrial process water to any sanitary sewer.

SECTION 602. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewer, or to a natural outlet approved by the Commissioner. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Commissioner, to a storm sewer, or natural outlet.

SECTION 603. 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:

- (a) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Centigrade).
- (b) Any waters or wastes which contain grease or oil or other substance that will solidify or become discernibly viscous at temperatures between 32 and 150 degrees Fahrenheit.
- (c) Any waters or wastes containing fats, wax, grease, or oils, whether emulsified or not, exceeding an average of 50 parts per million (417 pounds per million gallons) other soluble matter.
- (d) Any gasoline, benzene, naphtha, fuel oil, or mineral oil or other flammable or explosive liquid, solid, or gas.
- (e) Any noxious or malodorous gas such as hydrogen sulfide, sulfur dioxide, or nitrous oxide or other substance, which either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their maintenance and repair.
- (f) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of $\frac{3}{4}$ horsepower or greater shall be subject to the review and approval of the Commissioner.
- (g) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, cardboard, wood, paunch manure, hair and fleshing, entrails, lime slurry, lime residues, cannery waste, bulk solids, or any other viscous substance capable of causing obstruction to the flow of the sewers, or other interference with the proper operation of the sewage system.

- (h) Any waters or wastes, acid and alkaline in reaction, having corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewerage system. Free acids and alkalis must be neutralized at all times, within a permissible pH range of 6.5 to 9.5.
- (i) Any cyanides, in excess of two (2) parts per million by weight as CN.
- (j) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Commissioner in compliance with applicable State or Federal regulations.
- (k) Any waters or wastes that for a duration of 15 minutes has a concentration greater than five (5) times that of "normal" sewage as measured by suspended solids and B.O.D. and/or which is discharged continuously at a rate exceeding 1,000 gallons per minute except by special permit.

Normal Sanitary Sewage shall be construed to fall within the following ranges at the effluent of the industrial plant in question.

CONSTITUENTS	PERMISSIBLE RANGE
Suspended Solids	180 to 350 ppm
B.O.D.	140 to 300 ppm
Chlorine Requirements	5 to 15 ppm

- (l) Any storm water, roof drains, spring water, cistern or tank overflow, footing drain, or the contents of any privy vault, septic tank or cesspool, or the discharge of effluent from any air conditioning machine or refrigeration unit.

- (m) Any waters or wastes containing a toxic or poisonous substance high B.O.D. or chlorine demand or suspended solids in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the effluent of the District Water Pollution Control Plant. Such toxic substances shall be limited to the average concentrations listed hereinafter in the sewage as it arrives at the plant and at no time shall the hourly concentration at the plant exceed three (3) times the average concentration. If concentrations listed are exceeded, individual establishments will be subject to control in volume and concentration of sewage by the Commissioner.

LIMITS OF TOXIC SUBSTANCES IN SEWAGE

Iron, as Fe	0.5 ppm
Chromium, as Cr (hexavalent)	1.5 ppm
Copper, as Cu	0.3 ppm
Chlorine Requirements	15.0 ppm
Phenol	1.0 ppm
Cyanide, as CN	0.17 ppm
Cadmium, as Cd	0.5 ppm
Zinc, as Zn	0.5 ppm
Nickel	1.0 ppm

SECTION 604. Grease, oil and sand interceptors shall be provided when the above set limits for those substances are exceeded or when, in the opinion of the Commissioner, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and 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 Commissioner, and shall be located 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. They shall be of substantial construction, watertight, and equipped with easily removable covers when bolted in place shall be gastight and watertight.

SECTION 605. Where installed, all grease, oil and sand interceptors shall be maintained by the Owner, at his expense, in continuously efficient operation at all times and shall be readily accessible and open to inspection by the Commissioner at any time.

SECTION 606. The admission into the public sewers of any waters or wastes having (a) a 5-day Biochemical Oxygen Demand greater than 300 parts per million, or (b) containing more than 350 parts per million of suspended solids, or (c) containing more than 15 parts per million of chlorine requirement, or (d) containing any quantity of substances having the characteristics described in Section 603, or (e) having an average daily flow greater than 2% of the average daily sewage flow of the District, shall be subject to the review and approval of the Commissioner. Where necessary, in the opinion of the Commissioner, the Owner shall provide, at his expense, such preliminary treatments may be necessary to (1) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (2) reduce the chlorine requirements to 15 parts per million, or (3) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 603, or (4) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other facilities shall be submitted for the approval of the Commissioner and no construction of such facilities shall be commenced until said approval is obtained in writing. Failure to comply with one or more of the remedial procedures as required by the Commissioner will constitute a violation of this Local Law.

SECTION 607. 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.

SECTION 608. When required by the Commissioner, the Owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Commissioner. 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.

SECTION 609. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in Sections 603 and 606 shall be determined, in accordance with "Standard Methods for the Examination of Water and Waste Water", upon suitable samples taken at control manhole provided for in Section 608. 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.

SECTION 610. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment subject to payment therefore by the industrial concern.

SECTION 611. All of the preceding standards are to apply at the point where the industrial wastes are discharged into the public sanitary sewerage system and any chemical or mechanical corrective treatment required must be accomplished to practical completion before the wastes reach that point. The laboratory methods used in the examination of all industrial wastes shall be those set forth in the latest edition of "Standard Methods for the Examination of Water and Waste Water", published by the American Public Health Association. However, alternate methods for the analysis of industrial wastes may be used subject to mutual agreement

between the District and the producer of such wastes. The frequency and duration of the sampling of any industrial waste shall not be less than once a quarter for 24 hours. However, more frequent and longer periods may be required at the discretion of the District.

ARTICLE VII

Protection from Damage

SECTION 701. No person shall maliciously, willfully break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the District sewerage works.

SECTION 702. A Contractor must present a certificate of insurance naming the Town as an Insured and showing suitable liability insurance before a permit will be issued for construction of building sewers, sewer extensions, or private sewage disposal.

ARTICLE VIII

Powers and Authority of Inspectors

SECTION 801. The Commissioner, and other duly authorized agents of the District bearing proper credentials and identification shall be permitted to enter upon all properties subject to this Local Law for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this Local Law.

ARTICLE IX

Penalties

SECTION 901. Any person found to be violating any provision of this Local Law shall be served by the District 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. The notice requirement contained herein shall not be applicable to a violation of Section 701.

SECTION 902. Any person, individual, firm, corporation, or partnership who fails to comply with the provisions of this Local Law other than those provisions pertaining to the payment of charges for services established herein shall be subject to a fine not exceeding 250 Dollars for each offense. The continued violation of any provisions of any section of this Local Law, other than those pertaining to the payment of charges for services established herein, shall constitute a separate offense for each and every day such violation of any provision hereof shall continue.

SECTION 903. As an alternative, upon violation of this Local Law, the Town Board, in addition to other remedies, may institute any appropriate action or proceedings including an injunction to prevent such unlawful use, construction or maintenance of cesspools, septic tanks, sewage disposal systems, pipes or drains to restrain, correct or abate such violation to prevent the occupancy of any building structure or land where said violations of this Local Law are found.

SECTION 904. Any person violating any of the provisions of this Local Law shall become liable to the District for any expense, loss, or damage occasioned the District by reason of such violation.

ARTICLE X

SECTION 1001. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 1002. The invalidity of any section, clause, sentence, or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such invalid part or parts.

ARTICLE XI

SECTION 1101. This Local Law shall be effective immediately upon filing with the Secretary of State.

The adoption of this Local Law repeals Local Law No. 1 of 1968 (Sewer Ordinance).