

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

- County
- City of Groton
- Town
- Village

Local Law No. 1 of the year 20 11

A local law amending Chapter 165 of the Code of the Village of Groton, entitled "Sewers" to delete the
(Insert Title)
 provisions of the existing Part 2 of Chapter 165 and replace the same with a new Part 2
 of Chapter 165 entitled "Village of Groton Sewer Use Law"

Be it enacted by the Village Board of Trustees of the
(Name of Legislative Body)

- County
- City of Groton as follows:
- Town
- Village

See Attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 11 of the ~~(County)~~(City)~~(Town)~~(Village) of Groton was duly passed by the Board of Trustees on Dec. 20 20 10, in accordance with the applicable ~~(Name of Legislative Body)~~ provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ and was deemed duly adopted ~~(Elective Chief Executive Officer*)~~ on _____ 20 _____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ on _____ 20 _____ ~~(Elective Chief Executive Officer*)~~

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on _____ 20 _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ on _____ 20 _____ Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

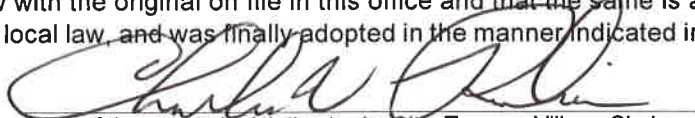
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20_____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph one, above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

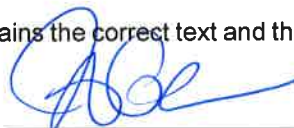
(Seal)

Date: 12/21/10

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF TOMPKINS

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature
Attorney for the Village

Title

~~County~~
City of Groton
~~Town~~
Village

Date: 12/21/2010

VILLAGE OF GROTON

Local Law #3 of 2010

A LOCAL LAW AMENDING CHAPTER 165 OF THE CODE OF THE VILLAGE OF GROTON, ENTITLED "SEWERS," TO DELETE THE PROVISIONS OF THE EXISTING PART 2 OF CHAPTER 165 AND REPLACE THE SAME WITH A NEW PART 2 OF CHAPTER 165 ENTITLED "VILLAGE OF GROTON SEWER USE LAW"

Be it enacted by the Village Board of Trustee of the Village of Groton, in the County of Tompkins, as follows:

§1. The Code of the Village of Groton is hereby amended by deleting the existing Part 2 of Chapter 165 of the Code of the Village of Groton and replacing the same with a new Part 2 of Chapter 165 to read as follows:

Article I - Short Title and Purpose

Section 165-9 - Short Title

For brevity and ease of communication, this Law may be cited as the Village of Groton Sewer Use Law.

Section 165-10 - General Purpose

The general purpose of this Law is the following:

To provide for efficient, economic, environmentally safe, and legal operation of The Village of Groton Wastewater Treatment Plant (Wastewater Treatment Plant)

Section 165-11 - Specific Purposes

The specific purposes of this Law are the following:

- (A) To prevent the introduction of substances into the Wastewater Treatment Plant that will:
 - (1) Interfere with the Wastewater Treatment Plant in any way,
 - (2) Pass through the Wastewater Treatment Plant to the state's waters and cause contravention of standards for those waters or cause violation of the Wastewater Treatment Plant SPDES permit,
 - (3) increase the cost or otherwise hamper the disposal of Wastewater Treatment Plant sludge and/or residuals,
 - (4) endanger municipal employees,

- (5) cause air pollution, or groundwater pollution, directly or indirectly,
- (6) cause, directly or indirectly, any public nuisance condition.

- (B) To prevent new sources of infiltration and inflow (I&I) and, as much as possible, eliminate existing sources of I&I.

- (C) To assure that new sewers and connections are properly designed and constructed.

- (D) To provide for equitable distribution of all costs, associated with Wastewater transmission, treatment, and residuals disposal, and to provide for the collection of such costs.

Section 165-12 - Replacement of Previous Sewer Use Law

The provisions in the existing Chapter 165, entitled "Sewers," Part 2 of which was adopted December 14, 1976 and amended on February 10, 1990, January 3, 1994 and May 16, 1994, are hereby repealed and said provisions are replaced by the herein set forth Articles I through XIV.

Article II - Definitions

Section 165-13 - Defined Terms

Unless otherwise stated in the section where the term is used in this Law, the meaning of terms used in this Law shall be as stated below. When not inconsistent with the context, the present tense shall include the future, and words used in the plural shall include the singular and vice versa. Furthermore, a masculine pronoun shall include the feminine. Shall is mandatory; may is permissive.

Abnormal Wastewater - Wastewater whose concentration of one or more characteristics of normal Wastewater exceeds the maximum concentrations of the characteristics of normal Wastewater. See normal Wastewater.

Act or "The Act" - The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq., as may be amended.

Administrator - the Regional Administrator of the U. S. Environmental Protection Agency (USEPA), Region 2.

Ammonia - the result obtained, using an approved laboratory procedure, to determine the quantity of ammonia in a sample, expressed as milligrams of nitrogen per liter.

Applicant - that person who makes application for any permit. The applicant may be an owner, new or old, or his agent.

Approval Authority - The USEPA, or the New York State Department of Environmental Conservation (NYSDEC), in the event the NYSDEC is delegated approval authority responsibility by the USEPA.

Approved Laboratory Procedure - The procedures defined as "Standard Methods" in this Article, or other procedures approved by the Village, for flow measurement or determination of the concentration of pollutants or their surrogates in waters, wastewaters, and/or sludge.

ASTM, denoting American Society for Testing and Materials - the latest edition of any ASTM specification, when stipulated in this Law.

Authorized Representative of the Industrial User - An authorized representative of the industrial user may be: a) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation; (b) A general partner or proprietor, if the industrial user is a partnership or proprietorship, respectively; (c) A duly authorized representative of the individual designated above, if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

BOD, denoting Biochemical Oxygen Demand - The result obtained when using an approved laboratory procedure to determine the quantity of oxygen utilized in the aerobic biochemical oxidation of organic matter or in a sample, expressed in milligrams per liter.

Builder - any person who undertakes to construct a building or any part of a building, either under contract or for resale.

Building Drain - That part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste, and other drainage pipes inside the building walls, and conveys it to the building lateral, which begins at the face of the building wall.

Chlorine Demand - The result obtained when using an approved laboratory procedure to determine the difference between the amount of chlorine added to a sample and the amount of chlorine remaining in the sample at the end of a specified contact time at room temperature, expressed in milligrams per liter.

COD, denoting Chemical Oxygen Demand - The result obtained when using an approved laboratory procedure to measure the oxygen requirement of that portion of matter, in a sample, that is susceptible to oxidation, by a specific chemical oxidant, expressed in milligrams per liter.

Color - the optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

Composite Sample - the sample resulting from the combination of individual samples of wastewater taken at selected intervals, for a specified time period. The individual samples may have equal volumes or the individual volumes may be proportioned to the flow at the time of sampling.

Connection - Attachment of one user to a sewer. (See Extension)

Note: A duplex is two connections; triplex is three connections, etc. Subdivision of ten single family homes connected to existing sewer system is viewed as ten connections.

Connection Charge - The Village shall establish a new user hook-up charge which will be charged to all new users of the sewer system. The Village reserves the right to deny new construction(s) to the sewer system if such connections would be detrimental to the proper operation of the Wastewater Treatment Plant.

Control Authority - the term shall refer to "Approval Authority," or to the Village when addressing the pretreatment program under the provisions of 40 CFR 403.11.

Control Manhole - A manhole accessible to the Control Authority in or upstream of the building lateral, such that samples collected from the manhole represent the discharge tributary to the Wastewater Treatment Plant.

Conventional Pollutant - A pollutant that the Wastewater Treatment Plant was designed to treat, defined in accordance with the Act.

Cooling Water - the water discharged from any system of condensation, air conditioning, refrigeration, or other sources. It shall contain no polluting substances which would produce COD or suspended solids in excess of five (5) milligrams per liter, or toxic substances, as limited elsewhere in this Law.

County - Tompkins, New York.

Developer - any person who subdivides land for the purpose of constructing, or causing to be constructed, buildings for which wastewater disposal facilities are required.

Direct Discharge - the discharge of treated or untreated wastewater directly to the Waters of the State of New York. (For reference, see Indirect Discharge.)

Domestic Wastes - see Wastewater, Domestic.

Dry Sewers - Those sanitary sewers installed in anticipation of future wastewater conveyance to the Wastewater Treatment Plant but which is not yet used.

End of Pipe - For the purpose of determining compliance with limitations prescribed by Article IX, end of pipe shall mean the control manhole, provided the samples collected from the control manhole are representative of the discharge to the Wastewater Treatment Plant.
End of Pipe Concentration - the concentration of a substance in a sample of wastewater at end of pipe.

End of Process Concentration - see National Categorical Pretreatment Standard.

Easement - an acquired legal right for the specific use of land owned by others.

EPA, USEPA, or U.S. Environmental Protection Agency - the agency of the federal government charged with the administration and enforcement of federal environmental Ordinances, rules, and regulations. Also may be used as a designation for the Administrator or other duly authorized official of this Agency.

Extension - Attachment of a sewer line, with more than one user, to an existing sewer line.

Facility - All buildings, other structures, grounds and contiguous property at any locations related to or connected with a user at the user's location.

Floatable Oil - Oil, grease, or fat in a physical state such that it will separate by gravity from wastewater by treatment in a wastewater treatment facility.

Flow Rate - the quantity of liquid or waste that flows in a certain period of time.

Garbage - the solid wastes from the preparation, cooking, and dispensing of food, from the handling, storage, and sale of produce, and from the packaging and canning of food.

Grab Sample - A single sample of wastewater representing the physical, chemical, and biological characteristics of the wastewater at one point and time.

ICS Form - the form used by the NYSDEC to survey industries to perform and update the Industrial Chemical Survey.

Indirect Discharge - the introduction of wastewater into a Wastewater Treatment Plant and ultimate discharge of the treated effluent to the State's Waters. (For reference, see Direct Discharge).

Industrial - Meaning or pertaining to industry, manufacturing, commerce, trade, business, or institution, and is distinguished from domestic or residential.

Industrial Chemical Survey (ICS) - the survey of industries in New York State, initiated by the NYSDEC, to determine chemical usage and storage by those industries.

Industrial User - See User, Industrial.

Industrial Wastes - The liquid or liquid-carried solid, liquid and/or gaseous wastes from industrial manufacturing processes, trade, service, utility, or business, as distinct from sanitary Wastewater.

Infiltration - Water, other than wastewater, that enters a sewer system (excluding building drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow. Infiltration is inadvertent, that is, not purposely designed or built into the sewer or drain.

Inflow - Water, other than wastewater, that enters a sewer system (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, foundation drains, swimming pools, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration. Inflow is purposely designed and/or built into the sewer or drain.

Interference - A discharge which, alone or in conjunction with discharges by other sources,

- (A) Inhibits or disrupts the Wastewater Treatment Plant, the Wastewater Treatment Plant treatment processes or operations, or its sludge processes, use or disposal; and
- (B) therefore is a cause of a violation of any requirement of Village Wastewater Treatment Plant SPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of wastewater sludge use or disposal by the Wastewater Treatment Plant in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations):
 - (1) Section 405 of the Clean Water Act,
 - (2) the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act - RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D (or the SWDA),
 - (3) Clean Air Act,
 - (4) Toxic Substance Control Act, and
 - (5) Marine Protection Research and Sanctuaries Act.

Lateral, Building - the sewer from a public or private building or house foundation wall which connects to the Village Sewer.

Lateral, Street - The sewer extension from the public sewer to the property line.

National Categorical Pretreatment Standard, or Categorical Standard - any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (B) and (C) of the Act (22 U.S.C. 1347), which applies to a specific category of industrial users. These standards apply at the end of the categorical process (“end of process”).

National Pollutant Discharge Elimination System (NPDES) Permit - A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

National Prohibitive Discharge Standard, or Prohibitive Discharge Standard - any regulation developed under the authority of Section 307 (B) of the Act, and 40 CFR, Section 403.5.

Natural Outlet - any outlet, including storm sewers and combined sewer overflows, to State’s Waters.

New Owner - that individual or entity who purchased property within the Service Area of the Village after the effective date of this Law.

New Source - any source, the construction of which is commenced after the publication of the proposed regulation prescribing a Section 307 (C) (33 U.S.C 1317) Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated.

New User - A discharger to the Wastewater Treatment Plant who commences discharge after the effective date of this Law.

Normal Wastewater - see Wastewater, Normal.

Nuisance - The use or lack of use of the Wastewater Treatment Plant in such a manner so as to endanger life or health, give offense to the senses, or obstruct or otherwise interfere with the reasonable use or maintenance of the Wastewater Treatment Plant

Oil and Grease - The result obtained when using an approved laboratory procedure to determine the quantity of fats, wax, grease, and oil, in a sample, expressed in milligrams per liter.

Old Owner - That individual or entity who owns or owned a property, within the Service Area of the Wastewater Treatment Plant, purchased prior to the effective date of this Law,

who or inherited the property at any time and intends to sell the property, or has sold the property to a new owner, also the agent of the old owner.

Other Wastes - Garbage (shredded or unshredded), refuse, wood, egg shells, coffee grounds, sawdust, shavings, bark, sand, lime, ashes, and all other discarded matter not normally present in Wastewater or industrial wastes. Also, the discarded matter not normally present in Wastewater or industrial waste.

Pass Through - The discharge which exits the Village Wastewater Treatment Plant into waters of the State in quantities, which, alone or in conjunction with Discharges from other sources, is a cause of a violation of any requirement of the Wastewater Treatment Plant SPDES permit (including an increase in the magnitude or duration of a violation).

Permit - A temporary revocable written document allowing use of the Wastewater Treatment Plant for specified wastes over a limited period of time, containing sampling locations and reporting frequencies, and requiring other actions as authorized by this Law.

Person - Any individual, public or private corporation, political subdivision, Federal, State, or local agency or entity, association, trust, estate or any other legal entity whatsoever.

pH - The logarithm (base 10) of the reciprocal of the weight of hydrogenions, in gram moles per liter of solution. A pH value of 7.0, the pH scale midpoint, represents neutrality. Values above 7.0 represent alkaline conditions. Values below 7.0 represent acid conditions.

Phosphorus, total - See total phosphorus.

Pollutant - Any material placed into or onto the State's waters, lands and/or airs, which interferes with the beneficial use of that water, land and/or air by any living thing at any time.

Pollution - The man-made or man-induced alteration of the chemical, physical, biological, and/or radiological integrity of the State's waters, lands and/or airs resulting from the introduction of a pollutant into these media.

Pretreatment (Treatment) - The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a Wastewater Treatment Plant. The reduction or alteration can be achieved by physical, chemical, or biological process, process changes, or by other means, except as prohibited by 40 CFR, Section 403.6 (D).

Pretreatment Requirements - any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.

Pretreatment Standard or National Pretreatment Standard -Any Categorical Standard or Prohibitive Discharge Standard.

Priority Pollutants - the most recently revised or updated list, developed by the EPA, in accordance with the Act.

Prohibitive Discharge Standard - see National Prohibitive Discharge Standard.

Properly Shredded Garbage - 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, and with no particle having a dimension greater than one-half (1/2) inch in any dimension.

Publicly Owned Treatment Works (Wastewater Treatment Plant) - A treatment works, as defined by Section 212 of the Act, (33 U.S.C. 1292), which is owned, in this instance, by the Village. This definition includes any sewers, appurtenances that transport wastewater, and the Wastewater Treatment Plant (Wastewater Treatment Plant).

Receiving Waters - A natural water course or body of water (usually Waters of the State) into which treated or untreated Wastewater is discharged.

Records - Shall include, but not be limited to, any printed, typewritten, handwritten or otherwise recorded matter of whatever character (including paper or electronic media), including but not limited to, letters, files, memoranda, directives, notes and notebooks, correspondence, descriptions, telephone call slips, photographs, permits, applications, reports, compilations, films, graphs and inspection reports. For the purposes of this Law, records shall mean records of and relating to waste generation, reuse and disposal, and shall include records of usage of raw materials.

Roof Drain - A drain installed to receive water collecting on the surface of a roof for disposal.

Septage - All liquids and solids in and removed from septic tanks, holding tanks, cesspools, or approved type of chemical toilets, including but not limited to those serving private residences, commercial establishments, institutions, and industries. Also, sludge from small Wastewater Treatment Plants. Septage shall not have been contaminated with substances of concern or priority pollutants.

Septic Tank - A private domestic Wastewater treatment system consisting of an underground tank (with suitable baffling), constructed in accordance with any and/or all local and State requirements.

Service Area of the Wastewater Treatment Plant - the legally defined bounds of real property from which wastewater may be discharged into the Wastewater Treatment Plant. The bounds

shall be established, altered, changed, modified, reduced, enlarged, combined, or consolidated by action of the Village.

Sewer - A pipe or conduit for carrying or transporting Wastewater.

Sewer, Combined - A sewer designed to receive and transport both surface runoff and Wastewater.

Sewer, Public - A sewer in which all abutting property owners have equal rights, and the use of which is controlled by the Village.

Sewer, Sanitary - A sewer which carries Wastewater, and to which storm, surface, and ground waters are not intentionally admitted.

Sewer, Storm (Storm Drain) - A sewer which carries storm and surface waters and drainage, but excludes Wastewater and industrial wastewaters, other than cooling waters and other unpolluted waters.

Sewerage System - All facilities for collecting, regulating, pumping, and transporting wastewater to and away from the Wastewater Treatment Plant.

Sewerage Surcharge Fee - The demand payment for the use of a public sewer and/or Wastewater Treatment Plant for the handling of any Wastewater, industrial wastes, or other wastes accepted for admission thereto in which the characteristics thereof exceed the maximum values of such characteristics in normal Wastewater.

Significant Industrial User - see User, Significant Industrial.

Significant Non-Compliance (SNC) - A User is in significant non-compliance if its violation(s) meet(s) one or more of the following criteria:

- (A) Chronic violations of wastewater discharge limits, defined here as those, in sixty-six (66) percent or more of all of the measurements taken during a six-month period, which exceed (by any magnitude) the daily maximum limit or average limit for the same pollutant parameter;
- (B) Technical Review Criteria (TRC) violations, defined here as those, in which thirty-three (33) percent or more of all of the measurements for each pollutant parameter taken during a six-month period, which equal or exceed the product of the daily maximum limits multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease; TRC = 1.2 for all other pollutants);
- (C) Any other violation of a pretreatment effluent limit (daily maximum or long-term average) that the Village determines has caused, alone or in combination with other discharges, interference or pass through (including

endangering the health of Wastewater Treatment Plant personnel or the general public);

- (D) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has caused the Village to exercise its emergency authority under Article XI of this Law;
- (E) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- (F) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (G) Failure to report accurately any non-compliance;
- (H) Any other violation which the Village determines will adversely affect the implementation or operation of the local pretreatment program.

Slug - A substantial deviation from normal rates of discharge or constituent concentration (see normal Wastewater) sufficient to cause interference. In any event, a discharge which, in concentration of any constituent or in quantity of flow, that exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal user operations, shall constitute a slug.

Standard Industrial Classification (SIC) - A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, and subsequent revisions.

Standard Methods - Procedures contained in the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, procedures established by the Administrator, pursuant to Section 304 (G) of the Act and contained in 40 CFR, Part 136, and amendments thereto. (If 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, then procedures set forth in EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants", April 1977, and amendments thereto, shall be used.), any other procedure approved by the Administrator, or any other procedure approved by the Village, whichever is the most conservative.

State - State of New York.

State's Waters - See Waters of the State.

Storm Drain/Storm Sewer - See Sewer/Storm

Storm Water - any flow occurring during or following any form of natural precipitation; also the flow resulting therefrom.

Substances of Concern - those compounds which the New York State Department of Environmental Conservation has determined may be harmful to man or the environment.

Sump Pump - A mechanism used for removing water from a sump, wet well or basement.

Superintendent - that individual nominated by the Village Mayor and confirmed by the Village Board as the Superintendent of Water and Wastewater. Such an individual shall be licensed to practice engineering in the State, and otherwise qualified to oversee water treatment and distribution and Wastewater Treatment Plant operations. This definition shall also include his authorized deputy, agent, or representative.

Suspended Solids - The result obtained, using an approved laboratory procedure, to determine the dry weight of solids, in a sample, that either float on the surface of, or are in suspension, or are settleable, and can be removed from the sample by filtration, expressed in milligrams per liter.

Total Kjeldahl Nitrogen (TKN) - The result obtained, using an approved laboratory procedure, to determine the quantity of ammonia in a sample and released during the acid digestion of organic nitrogen compounds, expressed as milligrams of nitrogen per liter.

Total Phosphorus - The result obtained, using an approved laboratory procedure, to determine the total quantity of orthophosphate, in a sample of wastewater, following the hydrolysis of phosphorus compounds, expressed as milligrams of phosphorus per liter of sample.

Toxic Substances - Any substance, whether gaseous, liquid, or solid, that when discharged to a public sewer in sufficient quantities may be hazardous to Wastewater Treatment Plant operation and maintenance personnel or Village O&M personnel, tend to interfere with any biological Wastewater treatment process, or to constitute a hazard to recreation in the receiving waters, due to the effluent from a Wastewater Treatment Plant or overflow point. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under provisions of CWA 307 (A), or other Acts.

User - any person who contributes, causes, or permits the contribution of wastewater into the Wastewater Treatment Plant.

User, Existing - A discharger to the Wastewater Treatment Plant who is discharging on or before the effective date of this Law.

User, Industrial - A discharger to the Wastewater Treatment Plant who discharges non-domestic wastewaters.

User, New - A discharger to the Wastewater Treatment Plant who initiates discharge after the effective date of this Law.

User, Significant Industrial (SIU) - an industrial user of the Village Wastewater Treatment Plant who is:

- (A) Subject to National Categorical Pretreatment Standards promulgated by the EPA, or
- (B) Having substantial impact, either singly or in combination with other industries, on the operation of the treatment works, or
- (C) Using, on an annual basis, more than 10,000 lbs or 1,000 gallons of raw material containing priority pollutants and/or substances of concern and discharging a measurable quantity of these pollutants to the sewer system, or
- (D) Discharging more than five percent (5%) of the flow or load of conventional pollutants received by the Wastewater Treatment Plant, or
- (E) As identified in the State Pollutant Discharge Elimination System (SPDES) Permit in effect for the Wastewater Treatment Plant.

*Note: A user discharging a measurable quantity of a pollutant may be classified as non-significant if, at the influent to the Wastewater Treatment Plant, the pollutant is not detectable.

Village - Village of Groton, Tompkins County, New York.

Village Sewer - the sewer pipelines of the Village in streets, alleys, or rights of way obtained by the Village.

Volume Charge (Sewer Rent) - The demand sewer use charge which is based, in part or wholly, on the volume of normal sewage discharged into the Wastewater Treatment Plant (there may be surcharges, as provided for in Article XII). The volume charge shall be based on a specific cost per 100 cubic feet. The specific charge shall be subject to approval by the Village Board. The moneys so obtained shall be used for current operation and maintenance, for retirement of bonded indebtedness, and for funding of capital projects, of the Wastewater Treatment Plant. The basis of volume charge calculations shall be made available to the public, on demand, as provided in Article XIII. The volume charge shall be recalculated annually, as well as the surcharge rates.

Wastewater - The liquid and water-carried industrial or domestic wastewaters from dwellings, commercial establishments, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the Wastewater Treatment Plant.

Wastewater, Domestic (Domestic Wastes) - Liquid wastes from the non-commercial preparation, cooking, and handling of food, liquid wastes containing human excrement and similar matter from the sanitary conveniences in dwellings, commercial buildings, industrial

buildings, and institutions, or liquid wastes from clothes washing and/or floor/wall washing. Therefore, domestic Wastewater includes both black water and grey water. (See Wastewater, Sanitary.)

Wastewater, Normal - Wastewater, industrial wastes, or other wastes, which show, by analysis, the following characteristics:

- B.O.D. (Five Day) - 2090 lbs. per million gallons (250 milligrams per liter), or less.
- Suspended Solids - 2500 lbs. per million gallons (300 milligrams per liter), or less.
- Phosphorus - 125 lbs. per million gallons (15 milligrams per liter), or less.
- Ammonia - 250 lbs. per million gallons (30 milligrams per liter), or less.
- Total Kjeldahl Nitrogen - 417 lbs. per million (50 milligrams per liter), or less.
- Chlorine Demand - 209 lbs. per million gallons (25 milligrams per liter), or less.
- Chemical Oxygen Demand - 2920 lbs. per million gallons (350 milligrams per liter), or less.
- Oil and Grease - 830 lbs. per million gallons (100 milligrams per liter), or less.

In spite of satisfying one or more of these characteristics, if the Wastewater also contains substances of concern, it may not be considered normal Wastewater.

Wastewater, Sanitary - Liquid wastes from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, or institutions, and free from storm water, surface water, industrial, and other wastes. (See Domestic Wastes.)

Wastewater, Unusual Strength or Character - Wastewater which has characteristics greater than those of Normal Wastewater and /or which contains Substances of Concern.

Wastewater Discharge Permit - A permit as set forth in Article X of this Law.

Wastewater Treatment Plant (Wastewater Treatment Plant) - Village owned treatment facility designed to provide treatment to wastewater, and to treat sludge and residuals derived from such treatment.

Wastewater, Unusual Strength or Character - see Wastewater, Unusual Strength or Character.

Waters of the State (State's Waters) - All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

Section 165-14 - Abbreviations

The following abbreviations shall have the designated meanings:

ANSI - American National Standards Institute
ASTM - American Society for Testing and Materials
AWWA - American Water Works Association
BOD - Biochemical Oxygen Demand
CFR - Code of Federal Regulations
CPLR - Code of Public Law and Rules
COD - Chemical Oxygen Demand
EPA - Environmental Protection Agency
L - Liter
Mg - Milligram
Mg/l - Milligrams per liter
NCPI - National Clay Pipe Institute
NPDES - National Pollutant Discharge Elimination System
NYSDEC - New York State Department of Environmental Conservation
NYSDOH - New York State Department of Health
NYSDOT - New York State Department of Transportation
P - Total Phosphorus
PSI - Pounds per Square Inch
PPM - Parts per Million, weight basis
SIC - Standard Industrial Classification
SPDES - State Pollutant Discharge Elimination System
SWDA - Solid Waste Disposal Act, 42 U.S.C. 690 L, et seq.
U.S.C. - United State Code of Ordinances
USEPA - United State Environmental Protection Agency
TSS - Total Suspended Solids
Wastewater Treatment Plant - Wastewater Treatment Plant

Section 165-15 - Undefined Terms

Terms not defined in this Article, or terms found to be ambiguous or improperly defined in this Article, shall be defined by the Act, or Regulations, pursuant thereto.

Article III - Use of Public Sewers Required

Section 165-16 - Waste Disposal Unlawful

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 or in any area under the jurisdiction of the said municipality, any human or animal excrement, garbage, or objectionable waste. Also, no person shall discharge domestic Wastewater onto the surface of the ground or discharge it in a way that permits it to come to the surface of the ground.

Section 165-17 - Connecting Private Wastewater system to Storm Sewer Unlawful

No person shall connect a private Wastewater system so that Wastewater flows into a storm sewer or into a drain intended exclusively for storm water.

Section 165-18 - Discharge of Wastewater into Well Prohibited

No person shall discharge Wastewater into a well.

Section 165-19 - Wastewater Discharge Unlawful

It shall be unlawful to discharge to any natural outlet, within the Service Area, or in any area under the jurisdiction of the said municipality, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this law.

Section 165-20 - Building Permit Allowed Only When Approved Wastewater Disposal Available

No property owner, builder, or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities unless a suitable and approved method of wastewater disposal, conforming to this law, is available. All housing construction or building development which takes place after this Law is enacted shall provide for an approved system of sanitary sewers.

Section 165-21 - Private Wastewater Disposal Unlawful

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, cesspool, septic tank, or other facility intended or used for disposal of wastewater.

Section 165-22 - Connection to Public Sewer Required

The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Service Area, and abutting on any street, alley, or right-of-way in which there is now located a public sewer, is hereby required, at the owner's expense to install suitable sanitary facilities therein, and to connect such facilities directly with the proper public sewer, in accordance with the provisions of this law, within ninety (90) days after official notice to do so. Any exceptions must come directly from the Village Board.

Section 165-23 - Limitation on Use of Public Sewers

The use of the Village public sewers shall be strictly limited and restricted, except as provided in Section 165-22, to receive and accept the discharge of Wastewater and other wastes, including industrial wastes generated on or discharged from real property within the bounds of the Service Area served by the Wastewater Treatment Plant.

Section 165-24 - Wastewater from Outside the Wastewater Treatment Plant Service Area - Inter-municipal Agreements

The Village shall have the authority to enter into agreements to accept Wastewater and other wastes, including industrial wastes, generated by or discharged from persons outside the Service Area of the Wastewater Treatment Plant.

If the person is a municipality, that municipality shall have enacted a Sewer Use law as restrictive on the discharge of Wastewater and other wastes as the restrictions contained in this law.

If the person is not a municipality, the acceptance shall be made only with the expressed written consent of the Village (the issuance of a permit) setting forth the terms and conditions of such an acceptance.

Section 165-25 - Moratorium

The Village, on its own volition, or at the recommendation of the Village's engineer or other appropriate individual or agency, determines that:

- (A) One or more segments of the Wastewater Treatment Plant is exceeding its hydraulic capacity at any time; or
- (B) Any specific purpose of this law is being violated,

The Village shall have the authority to limit or deny new connections to the Wastewater Treatment Plant until the conditions leading to the moratorium are corrected. Such correction may be by:

- (A) Construction of new facilities
- (B) Enlarging existing facilities
- (C) Correction of inflow and infiltration
- (D) Cleaning and repairing of existing facilities

Section 165-26 - Basis of Sewer Use Requirement

All requirements, directives, and orders calling for mandatory use of the sewers, within the Service Area of the Wastewater Treatment Plant, for the proper discharge of Wastewater and other wastes, including industrial wastes, shall be established and given by the Village, NYSDEC, USEPA, and/or other such State or Federal agencies, which have enforcement powers.

Section 165-27 - Testing of Public Sewers

The Superintendent and/or his authorized representatives shall conduct testing of sewers by smoke, CCTV or other methods as necessary. Proper notice will be given to affected houses or building occupants within 48 hours (2 days) of testing date.

Article IV - Private Wastewater Disposal

Section 165-28 - Public Sewer Unavailable - Private Wastewater Disposal Required

Where a public sewer is not available, under the provisions of Section 165-20, the building lateral shall be connected to a private wastewater disposal system complying with the provisions of the Rules and Regulations of the NYSDOH.

Section 165-29 - Connection of Two Buildings to the Same Septic Tank Prohibited

No two separate permanent buildings, where the intended use for either is for a distinct and separate business or a dwelling place for a private family or families, shall be connected to the same individual septic tank and tile absorption field.

Section 165-30 - Construction Permit Application

A completed application form, containing results of percolation tests, computations, and a plot plan, including the design and cross-section of the wastewater disposal system, in relation to lot lines, adjacent and on-site well or water supply, and buildings, shall be submitted to the Village. A fee, established by Article XII, shall accompany the application. The wastewater disposal system shall be designed by a professional engineer, licensed surveyor, or architect, and shall be in accordance with the NYSDOH - "Standards for Waste Treatment Works", or NYSDEC "Standards for Commercial and Institutional Facilities", as appropriate.

Section 165-31 - Construction Permit

A written construction permit shall be obtained from the Tompkins County Health Department before construction commencement. The Tompkins County Health Department and the Village Superintendent, or his designated representative, shall be permitted to inspect the construction work at any stage, without prior notice.

Section 165-32 - Preventing Nuisances - Rehabilitation Required

When the liquid or liquid-borne effluent from a private wastewater disposal system enters any watercourse, ditch, storm sewer, or water supply system, located in the Village, in such a manner, volume, and concentration so as to create a hazardous, offensive, or objectionable condition, in the opinion of the Village, the Village shall: notify NYSDOH and NYSDEC. The Village shall also issue a written notice to repair, rebuild, or relocate such wastewater disposal system for the purpose of eliminating such hazardous, offensive, or objectionable

conditions within thirty (30) days from receipt of such notice. The repair, rebuilding, or relocation of the system shall be accomplished in accordance with the rules and regulations of the NYSDOH and the County Health Department, at the owner's expense.

Section 165-33 - Sanitary Operation Required

The owner shall operate and maintain the private wastewater disposal system in a satisfactory manner at all times, at the owner's expense.

Section 165-34 - Septage Removal

Where a private wastewater disposal system utilizes a cesspool or a septic tank, septage shall be removed from the cesspool or septic tank, by a licensed hauler of trucked and hauled wastes, at three year intervals or more frequently.

Section 165-35 - Direct Connection to New Public Sewers Required

At such time that a public sewer becomes available to a property, a direct connection shall be made to the public sewer, in compliance with this Law, and any cesspool, septic tank, and similar wastewater disposal facilities shall be cleaned of septage, by a licensed septage hauler, and finally either filled with clean sand, bank-run gravel, or dirt, or removed and properly disposed. When the connection is made to the public sewer, the connection to the private wastewater disposal facility shall be broken and both ends of the break shall be plugged, as appropriate. Alternatively, the septic tank effluent may be piped or pumped to the sewer. The owner shall remove septage per Section 165-34.

Section 165-36 - Additional Requirements

No statement in this Article shall be construed to prevent, or interfere with, any additional requirements that may be deemed necessary by the Village, to protect public health and public welfare.

Article V - New Sewers or Sewer Extensions

Section 165-37 - Proper Design

New sanitary sewers and all extensions to sanitary sewers owned and operated by the Village shall be designed, by a professional engineer licensed in the State, in accordance with the Recommended Standards for Wastewater Works, as adopted by the Great Lakes - Upper Mississippi River Board of State Sanitary Engineers ("Ten State Standards"), and in strict conformance with all requirements of the NYSDEC. Plans and specifications shall be submitted to, and written approval shall be obtained from the Village, and the NYSDEC, before initiating any construction. The design shall anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.

If, however, there is inadequate capacity in any sewer which would convey the wastewater or if there is insufficient capacity in the Wastewater Treatment Plant to treat the wastewater properly, the application shall be denied. Sewer line and Wastewater Treatment Plant current use shall be defined as the present use and the unutilized use which has been committed, by resolution, to other users by the Village.

Section 165-38 - New Sewers Subject to Approval, Fees, Inspection, Testing, and Reporting

When a property owner, builder, or developer proposes to construct sanitary sewers or extensions to sanitary sewers in an area proposed for subdivision, the plans, specifications, and method of installation shall be subject to the approval of the Village, and the NYSDEC, in accordance with Section 165-37. Said property owner, builder, or developer shall pay for the entire installation, including a proportionate share of the Wastewater Treatment Plant, intercepting or trunk sewers, pumping stations, force mains, and all other Village expenses incidental thereto. Each building lateral shall be installed and inspected pursuant to Article VI, and inspection fees shall be paid by the applicant prior to initiating construction. Design and installation of sewers shall be as specified in this Article, and in conformance with Paragraphs 3 through 6 of ASTM Specification C-12. The installation of the sewer shall be subject to periodic inspection by the Village, without prior notice. The Village shall determine whether the work is proceeding in accordance with the approved plans and specifications, and whether the completed work will conform to the approved plans and specifications. The sewer, as constructed, must pass the infiltration test (or the exfiltration test, with prior approval), required in Section 165-140, before any building lateral is connected thereto. The Village shall be notified 30 days in advance of the start of any construction actions so that such inspection frequencies and procedures as may be necessary or required, may be established. No new sanitary sewers will be accepted by the Village until such construction inspections have been made so as to assure the Village of compliance with this Law and any amendments or additions thereto. The Village has the authority to inspect any installed facilities if the facilities were covered or otherwise backfilled before they were inspected so as to permit inspection of the construction. As deemed necessary, the Village Superintendent shall report all findings of inspections and tests to the Village.

Section 165-39 - Plans, Specification, and Pipe Test Results Required

Plans, specifications, and methods of installation shall conform to the requirements of this Article. Components and materials of wastewater facilities not covered in this Law, such as pumping stations, lift stations, or force mains shall be designed in accordance with Section 165-37, and shall be clearly shown and detailed on the plans and specifications submitted for approval. Force main details are covered in Section 165-52. When requested, the applicant shall submit, to the Village and to the NYSDEC, all design calculations and other pertinent data to supplement review of the plans and specifications. Results of manufacturer's tests on each lot of pipe delivered to the job site shall also be furnished, upon request.

Section 165-40 - Sewer Pipe

- (A) Sewer pipe material shall be:
- (1) Polyvinyl Chloride (PVC) Pipe - Heavy Wall
 - (a) Pressure rated pipe shall be made from Class 12454-B materials or better in accordance with ANSI/ASTM Specification D-1784, SDR 21.
 - (b) Gravity pipe and accessories shall conform to the requirements of the following:
 - (i) ANSI/ASTM D 3034 (4" - 15"), SDR 35
 - (ii) ASTM F 679 Type I (18" - 27"), SDR 35, wall thickness T-1
 - (iii) Minimum pipe stiffness of 46 psi at a maximum deflection of five percent (5%)
 - (2) Ductile Iron Pipe
 - (a) Pipe, fittings, and specials shall be manufactured in accordance with ASTM Specification A-746.
 - (b) Pipe shall have a minimum thickness of Class 50.
 - (c) Fittings shall conform to ANSI Specification A-21.11 and have a minimum pressure class rating of 150 PSI.
 - (d) All pipe and fittings shall be cement mortar lined in accordance with ANSI Specification A-21.4 at twice the specified thickness, and have an internal and external bituminous seal coating.
 - (e) Closure pieces shall be jointed by means of a mechanical coupling of the cast sleeve type.
 - (3) Other pipe materials require prior written approval of the Village before being installed.
- (B) General Pipe Specifications:
- (1) The minimum internal pipe diameter shall be eight (8) inches for gravity sewers and one and one quarter (1.25) inches for low pressure sewers.
 - (2) Joints for the selected pipe shall be designed and manufactured such that "O" ring gaskets of the "snap-on" type are used.
 - (3) Gaskets shall be continuous, solid, natural or synthetic rubber, and shall provide a positive compression seal in the assembled joint, such that the requirements of Section 165-45 are met.
 - (4) Joint preparation and assembly shall be in accordance with the manufacturer's recommendations.
 - (5) Wye branch fittings, as approved by the Village, shall be installed, for connection of building laterals, in accordance with Section 165-65.

Section 165-41 - Safety and Load Factors

Selection of pipe class shall be predicated on the following criteria:

Safety factor - 1.5

Load factor - 1.7

Weight of soil - 120 lbs/cu. ft.

Wheel loading - 16,000 lbs.

Utilizing the foregoing information, design shall be made as outlined in Chapter IX of the Water Pollution Control Federation Manual of Practice No. 9, latest edition, "Design and Construction of Sanitary and Storm Sewers", and the pipe shall have sufficient structural strength to support all loads to be placed on the pipe, with a safety factor as specified above.

PVC pipe shall not be encased in concrete due to their different coefficients of linear thermal expansion.

Section 165-42 - Sewer Pipe Installation

- (A) Local utilities shall be contacted to verify construction plans and to make arrangements to disconnect all utility services, where required to undertake the construction work. The utility services shall later be reconnected. The work shall be scheduled so that there is minimum inconvenience to local residents. Residents shall be provided proper and timely notice regarding disconnection of utilities.
- (B) The construction right-of-way shall be cleared only to the extent needed for construction. Clearing consists of removal of trees which interfere with construction, removal of underbrush, logs, and stumps, and other organic matter, removal of refuse, garbage, and trash, removal of ice and snow, and removal of telephone and power poles, and posts. Any tree which will not hinder construction shall not be removed, and shall be protected from damage by any construction equipment. Debris shall not be burned, but hauled for disposal in an approved manner.
- (C) The public shall be protected from personal and property damage as a result of the construction work.
- (D) Traffic shall be maintained at all times in accordance with applicable highway permits. Where no highway permits are required, at least 1/2 of a street shall be kept open for traffic flow.
- (E) Erosion control shall be performed throughout the project to minimize the erosion of soils onto lands or into waters adjacent to or affected by the work. Erosion control can be effected by limiting the amount of clearing and grubbing prior to trenching, proper scheduling of the pipe installation work, minimizing time of open trench, prompt grading and seeding, and filtration of drainage.
- (F) The trench shall be excavated only wide enough for proper installation of the sewer pipe, manhole, and appurtenances. Allowances may be made for sheeting, de-watering, and other similar actions to complete the work. Roads, sidewalks, and curbs shall be cut, by sawing or by other methods as approved by the Village, before trench excavation is initiated.
- (G) Under ordinary conditions, excavation shall be by open cut from the ground surface. However, tunneling or boring under structures other than buildings may be permitted. Such structures include crosswalks, curbs, gutters, pavements, trees, driveways, and railroad tracks.

- (H) Open trenches shall be protected at all hours of the day with barricades, as required.
- (I) Trenches shall not be open for more than 30 feet in advance of pipe installation nor left unfilled for more than 30 feet in the rear of the installed pipe, when the work is in progress, without permission of the Village. When work is not in progress, including over night, weekends, and holidays, the trench shall be backfilled to ground surface.
- (J) The trench shall be excavated approximately six (6) inches deeper than the final pipe grade. When unsuitable soils are encountered, these shall be excavated to a maximum depth of 2-1/2 feet below the final pipe invert grade and replaced with select materials.
- (K) Ledge rock, boulders, and large stones shall be removed from the trench sides and bottom. The trench shall be over-excavated at least 12 inches for five (5) feet, at the transition from rock bottom to earth bottom, centered on the transition.
- (L) Maintenance of grade, elevation, and alignment shall be done by some suitable method or combination of methods.
- (M) No structure shall be undercut unless specifically approved by the Village.
- (N) Proper devices shall be provided, and maintained operational at all times, to remove all water from the trench as it enters. At no time shall the sewer line be used for removal of water from the trench.
- (O) To protect workers and to prevent caving, shoring and sheeting shall be used, as needed. Caving shall not be used to backfill the trench. Sheeting shall not be removed but cut off no lower than one foot above the pipe crown nor no higher than one foot below final grade, and left in the trench, during backfill operations.
- (P) The pipe barrel shall be supported, along its entire length, on a minimum of six (6) inches of crusher run max. 1/2 inch stone free of organic material. This foundation shall be firmly tamped in the excavation.
- (Q) Bell holes shall be hand excavated, as appropriate.
- (S) Pipe shall be laid from low elevation to high elevation. The pipe bell shall be up-gradient; the pipe spigot shall be down-gradient.
- (T) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.
- (U) The grade and alignment shall be checked and made correct. The pipe shall be in straight alignment. Any negotiation of curves shall be at manholes, except when site conditions require alternative pipe laying procedures. These alternative procedures, including bending the pipe barrel, deflecting the joint, and using special fittings, shall require prior written approval of the plans and also written confirmation approval of need by the Village after examination of the site conditions.
- (V) When a smaller sewer joins a larger one the invert of the larger sewer shall be lowered sufficiently to maintain the same hydraulic gradient. An approximate method which may be used for securing this result is to place the 0.8 depth of both sewers at the same elevation.
- (W) 1 inch Crushed stone shall be placed over the laid pipe to a depth of at least six (6) inches. The embedment of thermoplastic pipe shall be in accordance with ASTM D2321 using class 1A or 1B backfill materials. Care shall be exercised so that stone

is packed under the pipe haunches. Care shall be exercised so that the pipe is not moved during placement of the crushed stone.

- (X) The migration of fines from surrounding backfill or native soils shall be restricted by use of suitable filter fabric.
- (Y) The remaining portion of the trench above the pipe embedment shall be backfilled in foot lifts which shall be firmly compacted. Compaction near/under roadways, driveways, sidewalks, and other structures shall be to 95 % of the maximum moisture-density relationship, as determined by ASTM Specification D 698, Method D. Ice, snow, or frozen material shall not be used for backfill.

Section 165-43 - Cleanout Installation

- (A) Cleanouts for low pressure sewers shall be placed at intervals of approximately 400 to 500 feet, at major changes of direction, where one collection main joins another main and at the upstream end of each main branch.
- (B) The design of the cleanouts shall be as approved by the Superintendent.

Section 165-44 - Manholes and Manhole Installation

- (A) Manholes shall be placed where there is a change in slope or alignment, and at intervals not exceeding 400 linear feet except as authorized by the Village.
- (B) Manhole bases shall be constructed or placed on a minimum of six (6) inches of crusher run max. 1/2 inch stone free of organic materials.
- (C) Manhole bases shall be constructed of 4,000 psi (28 day) concrete 8 inches thick, or shall be precast bases properly bedded in the excavation. Field constructed bases shall be monolithic, properly reinforced, and extend at least 6 inches beyond the outside walls of lower manhole sections. Precast manhole bases shall extend at least 6 inches beyond the outside walls of lower manhole sections.
- (D) Manholes shall be constructed using precast minimum 4 foot diameter concrete manhole barrel sections, and an eccentric top section, conforming to ASTM Specification C-478.
- (E) Manholes shall be constructed using precast minimum 4 foot diameter concrete manhole barrel sections, and an eccentric top section, conforming to ASTM Specification C-478, with the following exceptions on wall thickness:

Manhole Diameter (Feet)	Wall Thickness (Inches)
4	5
5	6
6	7
6 1/2	7 1/2

7	8
8	9

All sections shall be cast solid, without lifting holes.

Flat top slabs shall be a minimum of 8 inches thick and shall be capable of supporting a H-20 loading.

- (F) All joints between sections shall be sealed with butyl joint sealant completely filling the joint.
- (G) All joints shall be sealed against infiltration. All metal parts shall be thickly coated with bitumastic or elastomeric compound to prevent corrosion.
- (H) No steps or ladder rungs shall be installed in the inside or outside manhole walls at any time.
- (I) No holes shall be cut into the manhole sections closer than 6 inches from joint surfaces.
- (J) Manholes which extend above grade shall not have an eccentric top section. The top plate shall be large enough to accommodate the cover lifting device and the cover.
- (K) The elevation of the top section shall be such that the cover frame top elevation is 0.5 foot above the 100-year flood elevation (in a field), 0.5 foot above a Law elevation, or at finished road or sidewalk grade.
- (L) The manhole frame and cover shall be heavy duty cast iron. The cover shall be 24 inches, minimum, in diameter. The mating surfaces shall be machined, and painted with tar pitch varnish. The cover shall not rock in the frame. Infiltration between the cover and frame shall be prevented by proper design and painting. Covers shall have "Sanitary Sewer" cast into them. Covers shall have lifting holes suitable for any lifting/jacking device. The lifting holes shall be designed so that infiltration is prevented.
- (M) A drop of at least 0.1 foot shall be provided between incoming and outgoing sewers on all junction manholes and on manholes with bends greater than 45 degrees.
- (N) Inverts and shelves/benches shall be placed after testing the manholes and sewers.
- (O) Benches shall be level and slope to the flow channel at about 1 inch per foot.
- (P) The minimum depth of the flow channel shall be the nominal diameter of the smaller pipe. The channel shall have a steel trowel finish. The flow channel shall have a smooth curvature from inlet to outlet.
- (Q) Manhole frames, installed at grade, shall be set in a full bed of mortar with no less than two or more than four courses of brick underneath to allow for later elevation adjustment. In lieu of brick, grade rings may be used for elevation adjustment. Grade rings shall not exceed 6 inches in depth. The total number of grade rings shall not exceed 12 inches in height; however, in no event shall more than 3 grade rings be used.
- (R) Manholes which extend above grade shall have the frames cast into the manhole top plate. The top plate shall be securely anchored to the manhole barrel, by a minimum of six ½ inch corrosion resistant anchor bolts, to prevent overturning when the cover

is removed. The anchor bolts shall be electrically isolated from the manhole frame and cover.

- (S) Internal drop pipes and fittings shall be PVC plastic sewer pipe in compliance with ASTM D2241. Corrosion resistant anchors shall be used to attach the drop pipe to the inside surface of the manhole barrel.

Section 165-45 - Infiltration/Exfiltration Testing

All sanitary sewers or extensions to sanitary sewers, including manholes, shall satisfy requirements of a final infiltration test before they will be approved and wastewater flow permitted by the Village. The infiltration rate shall not exceed 25 gallons per 24 hours per mile per nominal diameter in inches. An exfiltration test may be substituted for the infiltration test; the same rate shall not be exceeded. The exfiltration test shall be performed by the applicant, under the supervision of the Superintendent, who shall have the responsibility for making proper and accurate measurements required. The exfiltration test consists of filling the pipe with water to provide a head of at least 5 feet above the top of the pipe or 5 feet above groundwater, whichever is higher, at the highest point under test, and then measuring the loss of water, from the pipe section under test, by the amount of water which must be added to maintain the original level. However, under no circumstances shall the head at the downstream manhole exceed ten (10) feet or fill to within six (6) inches of the top of the downstream manhole. Should this condition prevail, the testing methods in Sections 165-44(F) and/or 165-44(G) shall be utilized. In this test, the test section must remain filled with water for at least 24 hours prior to taking any measurements. Exfiltration shall be measured by the drop of water level in a standpipe with a closed bottom end, or in one of the sewer manholes serving the test section. When a standpipe and plug arrangement is used in the upper manhole in the test section, there shall be some positive method for releasing entrapped air prior to taking any measurements.

Section 165-46 - Test Section

The test section shall be as ordered or as approved, but in no event longer than 1,000 feet. In the case of sewers laid on steep grades, the test length may be limited by the maximum allowable internal pressure on the pipe and joints at the lower end of the test section. For purposes of determining the leakage rate of the test section, manholes shall be considered as sections of 48-inch diameter pipe, 5 feet long. The maximum allowable leakage rate for such a section is 1.1 gallons per 24 hours. If leakage exceeds the allowable rate, then necessary repairs or replacements shall be made, and the section retested.

Section 165-47 - Test Period

The test period, during which the test measurements are taken, shall not be less than two (2) hours.

Section 165-48 - Pipe Lamping

Prior to testing, the section shall be lamped. Any length of pipe out of straight alignment shall be realigned.

Section 165-49 - Deflection Testing

Also prior to testing, all plastic pipe, in the test section, shall be tested for deflection. Deflection testing shall involve the pulling of a rigid ball or mandrel, whose diameter is 95 percent of the pipe inside diameter, through the pipe. Any length of pipe with a deflection greater than 5 percent shall be replaced. The test section shall be flushed just prior to deflection testing. The test shall not be performed with a mechanical pulling device.

Section 165-50 - Low Pressure Air Testing

Low pressure air tests shall conform to ASTM Specification C 828. All sections to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing. Air shall be added until the internal pressure of the test section is raised to approximately 4.0 PSIG. The air pressure test shall be based on the time, measured in seconds, for the air pressure to drop from 3.5 PSIG to 2.5 PSIG.

Acceptance is based on limits tabulated in the "Specification Time Required for a 1.0 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice for Low-Pressure Air Testing of Installed Sewer Pipe".

Before pressure is applied to the line all connections shall be firmly plugged. Before the test period starts, the air shall be given sufficient time to cool to ambient temperature in the test section.

If the test section is below groundwater, the test pressure shall be increased by an amount sufficient to compensate for groundwater hydrostatic pressure; however, the test pressure shall not exceed 10 PSI, or a lower pressure as required by the Village.

The pressure test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the Village prior to testing.

Section 165-51 - Vacuum Testing Alternative

In lieu of hydrostatic testing (exfiltration or infiltration), vacuum testing may be employed for testing of sewer lines and manholes. Sewer lines and manholes shall be tested separately. All sewer lines to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing. The vacuum test shall be based on the time, measured in seconds, for the vacuum to decrease from 10 inches of mercury to 9 inches of mercury for manholes, and from 7 inches of mercury to 6 inches of mercury for sewers.

Acceptance of manholes is based on the following:

Manhole Depth	Manhole Diameter	Time to Drop 1 inch Hg (10" to 9")
10 ft or less	4 ft	120 seconds
10 ft to 15 ft	4 ft	150 seconds
15 ft to 25 ft	4 ft	180 seconds

For 5 ft diameter manholes, add 30 seconds to the times above.

For 6 ft diameter manholes, add 60 seconds to the times above.

If the test on the manhole fails (the time is less than that tabulated above), necessary repairs shall be made and the vacuum test repeated, until the manhole passes the test.

Acceptance of sewers (7" Hg to 6" Hg) is based on the time tabulated in the "Specification Time Required for a 0.5 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice for Low-Pressure Air Testing of Installed Sewer Pipe".

The vacuum test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the Superintendent prior to testing.

Section 165-52 - Force Mains

Force mains serving Wastewater lifting devices, such as grinder pumps and pump stations, shall be designed in accordance with Section 165-37. Additional design requirements are:

(A) Force main pipe material shall be:

(1) Ductile Iron Pipe

Pipe shall conform to ANSI A21.51. The minimum wall thickness shall be Class 52 (ANSI A21.50). The pipe shall be clearly marked with either "D" or "DUCTILE". Fittings shall conform to ANSI A21.10.

Pipe and fittings shall be furnished with push-on joints conforming to ANSI A21.11.

Pipe and fittings shall be cement mortar lined and have an internal and external bituminous seal coating.

(2) Polyvinyl Chloride (PVC) Plastic Pipe

Pipe shall conform to ASTM D2241. Materials used in the manufacture of PVC pipe shall meet ASTM c1784. The minimum wall thickness shall be SDR-21. Fittings shall conform to ASTM D2241. Joints and gaskets shall conform to ASTM D2241, D1869, and F477.

- (3) Other pipe materials require prior written approval of the Village before being installed.
- (B) Trenching, bedding, and backfilling shall be in accordance with Section 165-42.
- (C) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.
- (D) Anchorages, concrete blocking, and/or mechanical restraint shall be provided when there is a change of direction of 7-1/2 degrees or greater.
- (E) Automatic air relief valves shall be placed at high points and at 400 ft intervals, on level force main runs.
- (F) Air relief valves shall be suitably protected from freezing.
- (G) When the daily average design detention time, in the force main, exceeds 20 minutes, the manhole and sewer line receiving the force main discharge or the Wastewater shall be treated so that corrosion of the manhole and the exiting line are prevented. The corrosion is caused by sulfuric acid biochemically produced from hydrogen sulfide anaerobically produced in the force main.
- (H) The force main shall terminate, in the receiving manhole, at a PVC plastic sewer pipe "T". The vertical arms of the "T" shall be twice the diameter of the force main. The upper arm shall be at least 4 feet long; the lower arm shall terminate in a PVC plastic sewer pipe 90 degree elbow in a flow channel directed to the manhole exit pipe. The "T" and its arms shall be securely fastened to the inside surface of the manhole wall using corrosion resistant anchors.

Section 165-53 - Force Main Testing

All force mains shall be subjected to hydrostatic pressure of 150 percent of the normal operating pressure. The duration of the test, at pressure, shall be at least 2 hours. Before conducting the test, the pipe shall be filled with water and all air shall be expelled. During the test, water shall be added, as needed, to maintain the test pressure. The amount of water added shall be recorded so as to calculate leakage. Leakage shall not exceed 25 gallons per day per mile per inch nominal pipe diameter. During the test, the owner and the Village shall walk the route of the force main and examine the exposed pipe and the ground covering any backfilled pipe to discover leaks. Leakage in excess of that specified above shall be corrected with new material at the owner's expense and the test repeated. Any observed leaks shall be repaired at the owner's expense. Each test section length shall be as approved by the Village, but in no event longer than one thousand (1,000) feet.

Section 165-54 - Final Acceptance and Warranty/Surety

All sanitary sewers and extensions to sanitary sewers shall be constructed at the applicant's expense. After final approval the Village of Groton will accept the sewer main and thereafter the owners will be responsible for any laterals hooked into the sewer main.

Section 165-55 - Liability Insurance Coverage during Construction Period

- (A) All contractors engaged in connecting house laterals with sanitary sewers, who perform any work within the Right of Way of any highway, shall file a bond in the amount of Five Thousand Dollars (\$5,000.00) with the Village Clerk to indemnify the Village against loss, cost, damage or expense sustained or recovered on account of any negligence, omission or act of the applicant for such a permit, or any of his, or their agents arising or resulting directly or indirectly by reason of such permit or consent, or of any act, construction or excavation done, made or permitted under authority of such permit or consent. All bonds shall contain a clause that permits given by the Village (Board) may be revoked at any time for just cause.
- (B) Before commencing work, the above contractor shall file insurance certificates with the Village Clerk for the following:
- (1) Workman's Compensation and Employer's Liability Insurance as required by the Law of the State covering the contractor;
 - (2) Personal Injury Liability having limits of not less than \$500,000 each occurrence and \$500,000 aggregate (completed operations/products, personal injury);
 - (3) Property Damage Liability having limits of not less than \$500,000 for all damages arising during the life of the contract; and shall include, but not be limited to, the following designated hazards:
 - (a) Premises and Operations;
 - (b) Independent Contractors;
 - (c) Completed operations and products;
 - (d) Property Damage; and
 - (e) Explosions, collapse and underground;
 - (4) Comprehensive automobile liability (including non-owned and hired automobiles) having limits of not less than:
 - (a) Bodily injury - each person, \$300,000, each occurrence, \$500,000;
 - (b) Property damage - each occurrence, \$500,000;
 - (5) Business Excess Liability Insurance in the amount of \$2,000,000.
 - (6) All insurance policies must provide for five (5) business days notice to the Village before cancellation and must cover all liabilities of the Village and be in a form approved by the Village Board and be in a satisfactory form approved by the Village Board.
 - (7) The minimum insurance limits stated above shall be subject to periodic review by the Village in general or with respect to a particular project and adjustments made, by resolution, as appropriate.
- (C) Where it is necessary to enter upon or excavate any Village street or cut any pavement, sidewalk or curbing, permission must be obtained from the Village Superintendent. Similar permission for work on County roads or State highways must be obtained from the County Department of Public Works if a County Highway is

involved, and/or the New York State Department of Transportation if a State Highway is involved.

- (D) The minimum insurance limits above shall be as established by the Village and shall be subject to periodic review and adjustment, as appropriate, by the Village either in general or with respect to a particular project.

Article VI - Building Laterals and Connections

Section 165-56 - Permit Required for Sewer Connections

No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Village.

Section 165-57 - Inflow/Infiltration Prohibited

No person shall discharge or cause to be discharged any storm cooling water or unpolluted industrial waters to any sanitary sewer. Swimming pool drains shall not be connected to any sanitary sewer.

Section 165-58 - Sewer Lateral Permits

There shall be two classes of sewer lateral permits:

- (A) For residential, commercial, and institutional service,
- (B) For service to establishments producing industrial wastes.

In either case, a permit application shall be submitted to the Village. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent, in the judgment of the Village. A fee, established by Article XII, for residential, commercial, institutional and industrial users, as established by the Village, shall accompany the application.

Connections to existing manholes shall be made as directed by the Village.

Section 165-59 - New Building Laterals

A separate and independent building lateral shall be provided for every building requiring sanitary facilities. When, however, there is a building behind a front building, the second building may use the front building's building lateral, if there is no other way to provide sanitary service to the back building.

New building laterals shall not go under building basements. In like fashion, a building shall not be constructed over an existing lateral; the lateral shall be relocated after the Village has approved plans showing the relocation. If relocation is not physically possible then the lateral shall be:

- (A) Exposed and totally encapsulated in not less than three inches of concrete, or
- (B) Exposed and walled and the building rooms above positively ventilated outdoors.

All existing manholes in or under the basement shall be sealed air-tight in a manner acceptable to the Village. No new manholes shall be constructed on the portion of the lateral under the building.

Section 165-60 - Laterals Serving Several Buildings

When building laterals are to serve multiple dwelling structures, the building lateral shall be sized in accordance with the metered water use and with sound professional engineering judgment.

Section 165-61 - Laterals Serving Complexes

Where a lateral sewer is to serve a complex of industrial, commercial, institutional, or dwelling structures, special design of the building lateral system shall be required. Such lateral sewer shall be connected to the public sewer through a manhole. The Village shall determine if and where this connection to the public sewer is required. If required, a new manhole shall be installed in the public sewer pursuant to Sections 165-44 and 165-114 and the lateral connection made and tested as directed by the Village. Plans and specifications shall be prepared and submitted for approval pursuant to this Law.

Section 165-62 - Dry Sewers

Dry Sewers shall be designed and installed in accordance with this Law.

Section 165-63 - Using Existing Building Laterals

Existing building laterals may be used in connection with new buildings only when they are found, on examination by the Village, to meet all requirements of this local Law.

Section 165-64 - Lateral Pipe Materials

Building lateral pipe materials shall be one of the following:

- (A) Tar-coated, service grade, cast iron soil pipe conforming to ASTM Specification A-74, "Cast Iron Pipe and Fittings". All dimensions, weight and markings of the pipe shall conform to the requirements of ANSI, Designation A112.5.1, except spigot ends shall be "plain end", if gasket joints are used.
- (B) Polyvinyl chloride (PVC) pipe and fittings conforming to ASTM Specification D-3034-73, "SDR-35 Polyvinyl Chloride (PVC) Sewer Pipe and Fittings". All pipes shall be suitable for gravity sewer service. Provisions shall be made for contraction

and expansion at each joint with a rubber ring. The bell shall consist of an integral wall section stiffened with two PVC retainer rings which securely lock the solid cross-section ring into position. Minimum "Pipe Stiffness" (F/Y) at five percent (5%) deflection shall be 46 PSI when tested in accordance with ASTM Specification D-2412.

Any part of the building that is located within five (5) feet of a water main or water service shall be constructed of cast iron ductile iron soil pipe. Cast iron ductile iron soil pipe may be required by the Village where the building lateral is likely to be damaged by tree roots. If installed on fill or unstable ground, the building lateral shall be of cast iron ductile iron soil pipe, although other pipe material may be permitted if such pipe is uniformly supported on a poured concrete cradle approved by the Village. The distance between consecutive joints, as measured along the centerline of the installed pipe, shall not be less than ten (10) feet, except under abnormal circumstances, in which case this dimension may be diminished, if approved by the Village. The size and slope of building laterals shall be subject to approval by the Village, but in no event shall the internal pipe diameter be less than 4 inches, nor shall the pipe slope be less than 1/4 inch per foot.

Section 165-65 - Building Lateral to Public Sewer Connection

At the point of connection of a building lateral to a main sewer, a standard wye fitting and sufficient one-eighth (45 degree) bend fittings shall be used. The wye fittings shall be installed so that flow in the "arm" shall transition smoothly into the flow in the public sewer. No lateral connection shall be made to the public sewer which permits the flow into the public sewer from the lateral to enter at right angles.

The inside diameter of the fittings shall be same diameter as the building lateral inside diameter.

Section 165-66 - Future Connection Locations; As-Built Drawings

The building lateral, including the wye and eighth bend fittings, shall be connected to the main sewer at the time of constructing the main sewer, for each proposed lot for either immediate or future development. Laterals installed for future development shall be fitted a standard plug approved for use by the Village. All sewer connections shall be via a properly installed saddle on the main sewer pipe. No portion of the lateral pipe shall protrude into the main sewer pipe. The location of all lateral connections shall be field marked with a 2 inch by 6 inch corrosion and rot resistant board. The marker board shall extend from the depth of the lateral to a minimum of two (2) feet above grade. The location of all lateral connections shall be indicated on a drawing with a minimum of three (3) tie lines indicated. Four (4) copies of this drawing, showing the as-built location of these connections, shall be furnished to the Village.

Section 165-67 - Special Manhole Requirements

When any building lateral is to serve a school, hospital, or similar institution, or public housing, or is to serve a complex of industrial or commercial buildings, or which, in the opinion of the Village, will receive wastewater or industrial wastes of such volume or character that frequent maintenance of said building or building lateral is anticipated, then such building lateral shall be connected to the public sewer through a manhole. The Village shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Village. If required, a new manhole shall be installed in the public sewer pursuant to Sections 165-44 and 165-114, and the lateral connection made thereto as directed by the Village.

Section 165-68 - Laterals At and Near Buildings

Building laterals laid parallel to a bearing wall shall not be installed closer than three (3) feet to such wall. The building lateral shall enter the basement through the basement wall no less than twelve (12) inches above the basement floor. In no event shall any building lateral be placed below the basement floor, except with the expressed written approval of the Village.

The building lateral shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Changes of direction of 90 degrees or greater shall be made with a cleanout which extends to grade, terminating in a terminal box set in concrete. In building laterals, said cleanouts shall be provided such that the maximum distance between cleanouts is 75 feet. The ends of all building laterals which are not connected to the interior plumbing of the building, for any reason, shall be sealed against infiltration by a suitable stopper, plug, or by other approved means.

Section 165-69 - Wastewater Lifting

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such drain shall be lifted by mechanical means and discharged to the building lateral, on approval of the Village.

Section 165-70 - Lateral Pipe Installation

All excavations required for the installation of a building lateral shall be open trench work unless otherwise approved by the Village. Pipe laying and backfilling, regardless of pipe material used, shall be performed in general accordance with paragraphs 3 through 6 of ASTM Specification C-12, except that trench width, measured at the top of the installed pipe, shall not exceed the outside pipe diameter plus 14 inches and, except that no backfill shall be placed until the work has been inspected. The depth of cover over the pipe shall be sufficient to afford protection from frost, but no in any case shall such depth be less than four (4) feet. Where it is physically impossible to provide cover of four (4) feet, the depth may be reduced to a minimum of two (2) feet and the pipe shall be insulated, as approved by the Village.

Section 165-71 - Watertight Joints

All joints and connections shall be made watertight.

Section 165-72 - Ductile Iron Push Joints

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

Poured joints for cast iron pipe shall be firmly packed with oakum or hemp, and the annulus filled with an approved compound not less than 1 inch deep. The said compound shall be run in with a single pouring, and caulked tight, if appropriate for the compound used. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved. The transition joint between cast iron pipe and other pipe materials shall be made with special adapters and jointing materials approved by the Superintendent. If such joints are hot-poured, the material shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of 160 degrees F, nor be soluble in any of the wastes carried by the lateral.

Section 165-73 - PVC Push Joints

Joints for PVC sewer pipe shall follow the manufacturer's recommendations, using properly designed couplings and rubber gaskets pursuant to the published information relating thereto, and conforming to the applicable ASTM specification identified in Section 165-64.

Section 165-74 - Building Lateral Connection

- (A) The connection of the building lateral to an existing street lateral shall be made at the property line. Except as provided under Section 165-38, if a street lateral has not previously been provided, the street lateral will be constructed from the existing public sewer to the property line, by the Village and the cost will be reimbursed by the owner through the connection fee. The street lateral shall be installed with a water tight clean-out to grade located at the property line. The clean-out shall terminate in a metal box imbedded in concrete.

- (B) The cost of constructing the building lateral from the existing public sewer shall be at the property owner's expense; all subsequent costs and expense incidental to the installation and connection of the building lateral shall also be borne by the owner.
- (C) The property owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building lateral.
- (D) It shall be the responsibility of the property owner to maintain, repair, or replace the building lateral, as needed.
- (E) The method of connection of the building lateral to the street lateral will be dependent upon the type of sewer pipe material, and, in all cases, shall be approved by the Village. Any subsequent repairs to the new building laterals shall be at the property owner's expense.

Section 165-75 - Cleanout Repair/Replacement

If, in the judgment of the Superintendent, it is determined that a building lateral, without a property line clean-out, needs repair or replacement, the Village may install a clean-out at the property line, at the property owner's expense, such that the street lateral can be maintained independently of the building lateral.

Section 165-76 - Testing

The street lateral, building lateral, or the combined lateral shall be tested for infiltration/exfiltration by:

- (A) Any full pipe method described in Section 165-45, or
- (B) By a suitable joint method, with the prior written approval of the Village.

Section 165-77 - Connection Inspection

The applicant for the building lateral permit shall notify the Village when the building lateral is ready for inspection and connection is to be made to the Village Sewer. The connection shall be made under the supervision of the Village.

Section 165-78 - Trench Inspections

When trenches are excavated for the laying of building lateral pipes or for laying of building lateral pipes, such trenches shall be inspected by the Village. Before the trenches are backfilled, the person performing such work shall notify the Village when the laying of the building lateral is completed, and no backfilling of trenches shall begin until approval is obtained from the Village.

Section 165-79 - Public Safety Provisions Required; Restoration of Disturbed Areas

All excavations for constructing building laterals shall be adequately protected 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 Village. The user shall be responsible for obtaining any other permits required for the installation of a new street or building lateral. The cost of restoration of paved public roads, shoulders, sidewalks or other public property shall be borne by the user.

Section 165-80 - Interior Clean-Out

An interior clean-out fitting shall be provided for each building lateral at a readily accessible location, preferably just inside the basement wall. The fitting shall contain a 45-degree branch with removable plug or test tee, and so positioned that sewer cleaning equipment can be inserted therein to clean the building lateral.

The cleanout diameter shall be no less than the building lateral diameter.

Section 165-81 - Costs Borne by Owner

All costs associated with the provisions of this Article shall be borne by the property owner. The property owner shall indemnify the Village from any loss or damage that may be directly or indirectly occasioned by the installation of the building laterals, and connections and appurtenances.

Section 165-82 - New Building connection from outside the Village Limits

Any new application for new hook up to the sewer main must meet DEC regulations before the hook up can occur, and follow Section 165-54 Final Acceptance and warranty surety.

Section 165-83 - Installing new lateral and disconnecting the old lateral

In the event any household installs a new lateral from their house and would like to abolish an old lateral, the property owner must disconnect an abandoned lateral at the Village sewer main at their expense. Placing a cap on the old lateral from inside the building is not permitted.

Article VII - Inflow

Section 165-84 - New Inflow Sources Prohibited

No connections shall be made to a sanitary sewer which connections are intended to discharge inflow. Such prohibited connections include, but are not limited to, footing drains, roof leaders, roof drains, cellar drains, sump pumps, catch basins, uncontaminated cooling water discharges, or other sources of inflow.

Section 165-85 - Existing Inflow Sources Disconnected

For properties where separate storm sewers are available within 100 feet of the property line or where, in the judgment of the Village, sufficient natural drainage is available, connections which contribute inflow to the sanitary sewers must be disconnected in a fashion approved by Village, prior to the sale of the property.

Section 165-86 - Existing Inflow Sources Disconnected When Property Sold

Upon notice from the Tax Assessor the Village may inspect any newly sold property for the purpose of determining if storm sewers or natural drainage is available, and, if so, if all connections which contribute inflow have been disconnected.

Section 165-87 - No Re-connection of Inflow Source Allowed

It shall be a willful violation of this Law for any person to reconnect any inflow source which has been disconnected pursuant to this Article.

Section 165-88 - Charges for Inflow

The Village is enabled to take whatever action is necessary to determine the amount of inflow including the requirement for installation of a control manhole. The property from which the inflow originated shall be billed for inflow according to Article XII; however, the Village Board may cause a surcharge at a rate not to exceed five (5) times that for normal sewage volume charge.

Article VIII - Trucked or Hauled Waste

Section 165-89 - Prohibition

The discharge of trucked or hauled wastes into the Village sewer system and public sewers tributary thereto is prohibited.

Article IX - Discharge Restrictions

Section 165-90 - Pretreatment Standards

All users of the Village Wastewater Treatment Plant will comply with all standards established by the Village and requirements of the Act and standards and requirements promulgated pursuant to the Act, including but not limited to 40 CFR Parts 406 - 471.

Section 165-91 - General Prohibitions

No user shall contribute or cause to be contributed, in any manner or fashion, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance

of the Wastewater Treatment Plant. All discharges to the Village sewer system shall be in conformance with the discharge limits established by the Village. These general prohibitions apply to all such users of a Wastewater Treatment Plant whether or not the user is subject to National Categorical Pretreatment Standards, or any other National, State, or Local Pretreatment Standards or Requirements.

Without limiting the generality of the foregoing, a user may not contribute the following substances to the Wastewater Treatment Plant:

- (A) Any solids, liquids, or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause a fire or an explosion or be injurious, in any way, to the Wastewater Treatment Plant, or to the operation of the Wastewater Treatment Plant. At no time shall both of two successive readings on a flame type explosion hazard meter, at the point of discharge into the system (or at any other point in the system) be more than 25 % nor any single reading be more than 40 % of the lower explosive limit (LEL) of the meter. Unless explicitly allowable by a written permit, prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, carbides, hydrides, and sulfides, and any other substance which the Village, the State, or the EPA has determined to be a fire hazard, or hazard to the Wastewater Treatment Plant.
- (B) Solid or viscous substances which may cause obstruction to the flow in a sewer or otherwise interfere with the operation of the wastewater treatment facilities. Unless explicitly allowable by a written permit, such substances include, but are not limited to, grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing fuel or lubricating oil, mud, or glass or stone grinding or polishing wastes.
- (C) Any wastewater having a pH less than 5.5 or greater than 9.5, unless the Wastewater Treatment Plant was specifically designed to manage such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or Wastewater Treatment Plant personnel.
- (D) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants (including heat), to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the Wastewater Treatment Plant, or to exceed the limitation set forth in a Categorical Pretreatment Standard.
A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(A) of the Act.
- (E) Any noxious or malodorous solids, liquids, or gases which either singly or by interaction with other wastes are sufficient to create a public nuisance (including objectionable odor) or a hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repair.

- (F) Oils and grease - Any commercial, institutional, or industrial wastes containing fats, waxes, grease, or oils which become visible solids when the wastes are cooled to ten (10) degrees centigrade (50 degrees Fahrenheit); any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in excess of 100 mg/l or in amounts that will cause interference or pass through.
- (G) Any wastewater which will cause interference or pass through.
- (H) Any wastewater with objectionable color which is not removed in the treatment process, such as, but not limited to, dye wastes, and vegetable tanning solutions.
- (I) Any solid, liquid, vapor, or gas having a temperature higher than 65 degrees C (150 degrees F); however, such materials shall not cause the Wastewater Treatment Plant influent temperature to be greater than 40 degrees C (104 degrees F). The Village reserves the right, in certain instances, to prohibit or limit the discharge of wastes whose maximum temperatures are lower than 65 degrees C.
- (J) Unusual flow rate or concentration of wastes, constituting slugs, except by Industrial Wastewater Permit.
- (K) Any wastewater containing any radioactive wastes except as approved by the Village, and in compliance with applicable State and Federal regulations.
- (L) Any wastewater which causes a hazard to human life or which creates a public nuisance (including objectionable odor), either by itself or in combination, in any way, with other wastes.
- (M) Any wastewater with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR Part 261.21
- (N) Any pollutants which result in the presence of toxic gases, vapors or fumes within the Wastewater Treatment Plant in a quantity that may cause acute worker health and safety problems.

Section 165-92 - Concentration Based Limitations

No person shall discharge, directly or indirectly, into the Wastewater Treatment Plant, wastewater containing any of the following substances in concentrations exceeding those specified below, except by permit or as provided for in Section 165-93. Concentration limits are applicable to wastewater effluents at the point just prior to discharge into the Wastewater Treatment Plant (“end of pipe” concentrations).

Effluent Concentration Limits - mg/l

Substance	Allowable Average Daily
Fats, Oil and Grease	100
Ammonia	30
BOD	200
TSS	220
Arsenic	0.2

Cadmium	0.5
Chromium	0.1
Copper	0.2
Cyanide	0.15
Lead	0.2
Mercury	0.2
Molybdenum	0.2
Nickel	0.1
Selenium	0.1
Silver	1.0
Zinc	1.0
Phosphorus	6.0

- (A) Except for chromium (hex), all concentrations listed for metallic substances shall be as “total metal”, which shall be defined as the value measured in a sample acidified to a pH value of 2 or less, without prior filtration.
- (B) As determined on a composite sample taken from the User’s daily discharge over a typical operational and/or production day.

Notes:

- (1) Unless otherwise specified by permit, instantaneous allowable maximum concentrations shall be limited to 1.5 times the allowable average daily concentration as determined on a grab sample taken from the User’s discharge at any time during the daily operational and/or production period.
- (2) The Village reserves the right to limit any other substance that could be detrimental to the Wastewater Treatment Plant, Village staff, or water quality compliance. Other substances which may be limited are:
 - Aliphatic and aromatic alcohols and acids
 - Aliphatic and aromatic aldehydes and ketones
 - Aliphatic and aromatic esters
 - Aliphatic and aromatic halogenated compounds
 - Aliphatic and aromatic nitro, cyano and amino compounds
 - Alkanes, alkenes and alkynes
 - Aluminum
 - Antibiotics
 - Antimony
 - Barium
 - Benzene derivatives
 - Beryllium
 - Bismuth
 - Bromine

- chemical compounds which, upon acidification, alkalization, oxidation or reduction, in the discharge or after admixture with wastewater and its components in the Wastewater Treatment Plant, produce toxic, flammable, or explosive
- Chlorides
- Chlorine
- Cobalt
- Fluorides
- Gold
- Iodine
- Iron
- Manganese
- Pesticides, including algicides, fungicides, herbicides, insecticides, rodenticides
- Phthalates
- Polyaromatic and polynuclear hydrocarbons
- Sulfates
- Tin
- Titanium
- Total toxic organics, TTO, as defined in 40 CFR 433.11
- Toxic organic compounds regulated by Federal Pretreatment Standards
- Unsaturated aliphatics, including those with an aldehyde, ketone or nitrile functional
- Vanadium
- Viable pathogenic organisms from industrial processes or hospital procedures

Section 165-93 - Mass Discharge Based Limitations

The Superintendent shall determine the total allowable influent load of each substance from significant industrial users. In determining the total load of each substance that significant industrial users shall be allowed to discharge, the Superintendent shall consider:

- (1) The quantities of each substance that are uncontrollable because they occur naturally in wastewater,
- (2) The quantities of each substance that are anthropogenic but are nonetheless uncontrollable,
- (3) Historical discharge trends,
- (4) Past pollution control efforts of each significant industrial user as compared to other significant industrial dischargers of the same substance,
- (5) Potential for growth in the Wastewater Treatment Plant service area, (6) potential for more restrictive regulatory requirements to be placed on the Wastewater Treatment Plant discharge or sludge disposal or sludge reuse method,
- (7) Treatability of the substance. The Superintendent shall apply a minimum 15 % safety factor to be protective of the Wastewater Treatment Plant, and

(8) The requirements and limitations set forth in the Village's then current Wastewater Treatment Plant SPDES Permits.

At no time shall the influent to the Wastewater Treatment Plant contain quantities in excess of those determined by the Superintendent. To assure that the total loads so calculated, for each substance, are not violated, the Superintendent shall issue permits to significant industrial users limiting discharge loads.

Permits issued in accordance with this Section may allow for discharges in excess of limitations set forth under Section 165-92.

Section 165-94 - Modification of Limitations

Limitations on wastewater strength or mass discharge contained in this Law may be supplemented with more stringent limitations when, in the opinion of the Village:

- (A) The limitations in this Law are not sufficient to protect the Wastewater Treatment Plant;
- (B) The limitations in this Law are not sufficient to enable the Wastewater Treatment Plant to comply with applicable water quality standards or the effluent limitations specified in the Wastewater Treatment Plant SPDES permit;
- (C) The Wastewater Treatment Plant sludge will be rendered unacceptable for disposal or reuse as the Village desires, as a result of discharge of wastewaters at the above prescribed concentration limitations;
- (D) Municipal employees or the public will be endangered; or
- (E) Air pollution and/or groundwater pollution will be caused.

Section 165-95 - Access to User's Records

The Village shall have the authority to copy any record related to wastewater discharges to the Wastewater Treatment Plant.

Section 165-96 - Dilution

Except where expressly authorized to do so by an applicable pretreatment standard, no user shall ever increase the use of process water or, in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard.

Dilution flow shall be considered to be inflow.

Section 165-97 - Grease, Oil, and Sand Interceptors

Grease, oil, and sand interceptors shall be provided, when, in the opinion of the Village, they are necessary for the proper handling of wastewater containing excessive amounts of grease,

flammable substances, sand, or other harmful substances; except that such interceptors shall not be required for private living quarters or living units. All interceptors shall be of type and capacity approved by the Village and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the owner, at his expense.

Section 165-98 - Rejection of Wastewater

The Village may reject a User's wastewater when it has been determined that the wastewater contains substances or possesses characteristics which have a deleterious effect on the sewer system or the Wastewater Treatment Plant and its processes, or on the receiving water, or which constitute a public nuisance or hazard. See Section 165-125.

Article X - Discharge Permits and Pretreatment Requirements

Section 165-99 - Wastewater Discharge Reports

As a means of determining compliance with this Law, with applicable SPDES permit conditions, and with applicable State and Federal Law, each industrial user shall be required to notify the Village of any new or existing discharges to the Wastewater Treatment Plant by submitting a completed Industrial Chemical Survey (ICS) form and a completed Industrial Wastewater Survey (IWS) form to the Village. The Village may require any user discharging wastewater into the Wastewater Treatment Plant to file wastewater discharge reports and to supplement such reports as the Village deems necessary. All information shall be furnished by the user in complete cooperation with the Village.

Section 165-100 - Notification to Industrial Users

The Village shall, from time to time, notify each industrial user of applicable Pretreatment Standards, and of other applicable requirements under Section 204(B) and Section 405 of the Clean Water Act, and Subtitles C and D of RCRA.

Section 165-101 - Wastewater Discharges

No Significant Industrial User shall discharge wastewater to the Wastewater Treatment Plant without having a valid Wastewater Discharge Permit, issued by the Village. Significant Industrial Users shall comply fully with the terms and conditions of their permits in addition to the provisions of this Law. Violation of a permit term or condition is deemed a violation of this Law.

Section 165-102 - Wastewater Discharge Permits Required For Significant Industrial Users

All Significant Industrial Users proposing to connect to or to discharge to the Wastewater Treatment Plant shall obtain a Wastewater Discharge Permit before connecting to or

discharging to the Wastewater Treatment Plant. Existing significant industrial users shall make application for a Wastewater Discharge Permit within 30 days after the effective date of this Law, and shall obtain such a permit within 90 days after making application.

Section 165-103 - Other Industrial Users

The Village may issue Wastewater Discharge Permits to other industrial users of the Wastewater Treatment Plant.

Section 165-104 - Discharge Permits to Storm Sewers Not Authorized

The Village does not have the authority to issue permits for the discharge of any wastewater to a storm sewer. This authority rests with the NYSDEC.

Section 165-105 - Application for Wastewater Discharge Permits

Industrial users required to obtain a Wastewater Discharge Permit shall complete and file with the Village an application in the form prescribed. The application shall be accompanied by a fee, as set forth in Article XII. In support of any application, the industrial user shall submit, in units and terms appropriate for evaluation, the following information:

- (A) Name, address, and location (if different from the address).
- (B) SIC code of both the industry and any categorical processes.
- (C) Wastewater constituents and characteristics including but not limited to those mentioned in Article X of this Law and which are limited in the appropriate Categorical Standard, as determined by a reliable analytical laboratory approved by the NYSDOH. Sampling and analysis shall be performed in accordance with Standard Methods.
- (D) Time and duration of the discharge.
- (E) Average daily peak wastewater flow rates, including daily, monthly, and seasonal variations, if any.
- (F) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, and appurtenances.
- (G) Description of activities, facilities, and plant processes on the premises, including all materials which are or could be discharged to the Wastewater Treatment Plant
- (H) Each product produced by type, amount, process or processes, and rate of production.
- (I) Type and amount of raw materials processed (average and maximum per day).
- (J) Number and type of employees, and hours of operation, and proposed or actual hours of operation of the pretreatment system.
- (K) The nature and concentration of any pollutants in the discharge which are limited by any State or Federal Standards, and a statement whether or not the standards are being met on a consistent basis and if not whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the user to meet all applicable Standards.

- (L) If additional pretreatment and/or O&M will be required to meet the Standards, then the industrial user shall provide the shortest schedule to accomplish such additional treatment and/or O&M. The completion date in this schedule shall not be longer than the compliance date established for the applicable Pretreatment Standard. The following conditions shall apply to this schedule:
- (1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable Pretreatment Standards (such events include hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, beginning operation, and beginning routine operation).
 - (2) No increment referred to in (1) above shall exceed 9 months, nor shall the total compliance period exceed 18 months.
 - (3) No later than 14 calendar days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Village including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return to the established schedule. In no event shall more than 1 month elapse between such progress reports to the Village.
- (M) Any other information as may be deemed by the Village to be necessary to evaluate the permit application.

The Village will evaluate the data furnished by the industrial user and may require additional information. After evaluation and acceptance of the data furnished, the Village may issue a Wastewater Discharge Permit subject to terms and conditions provided herein.

Section 165-106 - Permit Modifications

Wastewater Discharge Permits may be modified by the Village, upon 30 days notice to the permittee, for just cause. Just cause shall include, but not be limited to:

- (A) Promulgation of an applicable National Categorical Pretreatment Standard,
- (B) Revision of or a grant of a variance from such categorical standards pursuant to 40 CFR 403.13,
- (C) Changes in general discharge prohibitions and local limits as per Section 165-92 of this Law,
- (D) Changes in processes used by the permittee, or changes in discharge volume or character,
- (E) Changes in design or capability of any part of the Wastewater Treatment Plant,
- (F) Discovery that the permitted discharge causes or contributes to pass through or interference, and

- (G) Changes in the nature and character of the Wastewater in the Wastewater Treatment Plant as a result of other permitted discharges.

Any changes or new conditions in the permit shall include a reasonable time schedule for compliance as set forth in Section 165-105.

Section 165-107 - Permit Conditions

Wastewater Discharge Permits shall be expressly subject to all the provisions of this Law, and all other applicable regulations, user charges and fees established by the Village. Permits may contain the following:

- (A) Limits on the average and maximum rate and time of discharge, or requirements for flow regulation and equalization.
- (B) Limits on the average and maximum wastewater constituents and characteristics, including concentration or mass discharge limits.
- (C) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the Wastewater Treatment Plant.
- (D) Requirements for installation and maintenance (in safe condition) of inspection and sampling facilities.
- (E) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.
- (F) Compliance schedules
- (G) Requirements for submission of technical reports or discharge reports.
- (H) Requirements for maintaining and retaining plant records relating to wastewater discharge, as specified by the Village, and affording the Village access thereto.
- (I) Requirements for notification of the Village of any new introduction of wastewater constituents or of any substantial change in the volume or character of the wastewater constituents being introduced into the Wastewater Treatment Plant.
- (J) Requirements for the notification of the Village of any change in the manufacturing and/or pretreatment process used by the permittee.
- (K) Requirements for notification of excessive, accidental, or slug discharges.
- (L) Other conditions as deemed appropriate by the Village to ensure compliance with this Law, and State and Federal Ordinances, rules, and regulations.

Section 165-108 - Permit Duration

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than five (5) years.

Section 165-109 - Permit Reissuance

The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification, by the Village, during the term of the permit, as limitations or requirements, as identified in Section 165-106, or other just cause exists. The User shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of the change. Any changes or new conditions in the reissued permit shall include a reasonable time schedule for compliance as established in Section 165-105.

Section 165-110 - Permit Transfer

Wastewater Discharge Permits are issued to a specific User for a specific operation, or discharge at a specific location. A Wastewater Discharge Permit shall not be reassigned, transferred, or sold to a new owner, new User, different premises, or a new or changed operation.

Section 165-111 - Permit Revocation

Wastewater Discharge Permits may be revoked for the following reasons: falsifying self-monitoring reports, tampering with monitoring equipment, refusing to allow the Village timely access to the industrial premises, failure to meet effluent limitations, failure to pay fines, failure to pay user charges, and failure to meet compliance schedules.

Section 165-112 - Public Notification

The Village will publish in the Village official daily newspaper(s), informal notice of intent to issue a Wastewater Discharge Permit, at least 14 days prior to issuance.

Section 165-113 - Reporting Requirements for Permittee

The reports or documents required to be submitted or maintained under this Section shall be subject to:

- The provisions of 18 USC Section 1001 relating to fraud and false statements;
- The provisions of Sections 309(c) (4) of the Act, as amended, governing false statements, representation or certification; and
- The provisions of Section (c) (6) of the Act, as amended, regarding corporate officers.

(A) Baseline Monitoring Report

Within 180 days after promulgation of an applicable Federal Categorical Pretreatment Standard, a User subject to that standard shall submit, to the Village, the information required by paragraphs (H) and (I) of Section 165-105.

(B) 90-Day Compliance Report

Within 90 days following the date for final compliance with applicable Pretreatment Standards, or, in the case of a New Source, following commencement of the introduction of wastewater into the Wastewater Treatment Plant, any User subject to Pretreatment Standards and Requirements shall submit, to the Village, a report indicating the nature and concentration of all pollutants in the discharge, from the regulated process, which are limited by Pretreatment Standards and Requirements, and the average and maximum daily flow for these process units in the User's facility which are limited by such Pretreatment Standards and Requirements. The report shall state whether the applicable Pretreatment Standards and Requirements are being met on a consistent basis, and, if not, what additional O&M and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Industrial User, and certified to by a qualified professional.

(C) Periodic Compliance Reports

(1) Any User subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the Wastewater Treatment Plant, shall submit to the Village, during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Village, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported in Section 165-105. At the discretion of the Village, and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Village may agree to alter the months during which the above reports are to be submitted; however, no fewer than two reports shall be submitted per year.

(2) The Village may impose mass limitations on Users, which are using dilution to meet applicable Pretreatment Standards or Requirements, or, in other cases where the imposition of mass limitations is appropriate. In such cases, the report required by Section 165-113 shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User. These reports shall contain the results of discharge sampling and analysis, including the flow, and the nature and concentration, or production and mass, where requested by the Village, of pollutants contained therein, which are limited by the applicable Pretreatment Standard. All analyses shall be performed in accordance with Standard Methods, by a laboratory certified by NYSDOH to perform the analyses.

(D) Violation Report

If sampling, performed by the user, indicates a violation of this Law and/or the User's discharge permit, the User shall notify the Village within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Village within 30 days after becoming aware of the violation. The User is not required to re-sample if the Wastewater Treatment Plant performs monitoring of the User's discharge at least once a month for the parameter which was violated, or if the Wastewater Treatment Plant performs sampling, for the parameter which was violated, between the User's initial sampling and when the User receives the results of this sampling.

(E) Other reports

The Village may impose reporting requirements equivalent to the requirements imposed by Section 165-113 for users not subject to pretreatment standards.

Section 165-114 - Flow Equalization

No person shall cause the discharge of slugs to the Village Wastewater Treatment Plant. Each person discharging, into the Village Wastewater Treatment Plant, greater than 100,000 gallons per day or greater than five percent (5%) of the average daily flow in the Village Wastewater Treatment Plant, whichever is lesser, shall install and maintain, on his property and at his expense, a suitable storage and flow control facility to insure equalization of flow over a twenty-four (24) hour period. The facility shall have a capacity for at least fifty percent (50%) of the daily discharge volume and shall be equipped with alarms and a rate of discharge controller, the regulation of which shall be directed by the Superintendent. A wastewater discharge permit may be issued solely for flow equalization.

Not Applicable

Section 165-115 - Monitoring Stations (Control Manholes)

- (A) All Significant Industrial Users, and other Industrial Users whose industrial waste discharge has caused or may cause Interference or Pass-Through shall install and maintain a suitable monitoring station, on their premises at their expense, to facilitate the observation, sampling, and measurement of their industrial wastewater discharge.
- (B) If there is more than one building lateral serving an Industrial User, the Village may require the installation of a control manhole on each lateral.
- (C) The Village may require that such monitoring station(s) include equipment for the continuous measurement and recording of wastewater flow rate and for the sampling of the wastewater. Such station(s) shall be accessibly and safely located, and the Industrial User shall allow immediate access, without prior notice, to the station by the Village.

Section 165-116 - Proper Design and Maintenance of Facilities and Monitoring Stations

Preliminary treatment, and flow equalization facilities, or monitoring stations, if provided for any wastewater, shall be constructed and maintained continuously clean, safe, and continuously operational by the owner at his expense. Where an Industrial User has such treatment, equalization, or monitoring facilities at the time this Law is enacted, the Village may approve or disapprove the adequacy of such facilities. Where the Village disapproves of such facilities and construction of new or upgraded facilities for treatment, equalization, or monitoring are required, plans and specifications for such facilities shall be prepared by a licensed professional engineer and submitted to the Village. Construction of new or upgraded facilities shall not commence until written approval of the Village has been obtained.

Section 165-117 - Vandalism, Tampering with Measuring Devices

No unauthorized person shall negligently break, damage, destroy, uncover, deface, tamper with, prevent access, or render inaccurate, or cause or permit the negligent breaking, damaging, destroying, uncovering, defacing, tampering with, preventing access, or rendering inaccurate to:

- (A) Any structure, appurtenance, or equipment which is a part of the Village Wastewater Treatment Plant, or
- (B) any measuring, sampling, and/or testing device or mechanism installed pursuant to any requirement under this Law except as approved by the Village.

Section 165-118 - Sampling and Analysis

Sampling shall be performed so that a representative portion of the wastewater is obtained for analysis.

All measurements, tests, and analyses of the characteristics of waters and wastes required in any section of this Law shall be carried out in accordance with Standard Methods, by a laboratory certified by NYSDOH to perform the analyses. Such samples shall be taken at the approved monitoring stations described in Section 165-115, if such a station exists. If an approved monitoring station is not required, then samples shall be taken from another location on the industrial sewer lateral before discharge to the public sewer. Unless specifically requested otherwise, or unless specifically not allowed in Federal regulation, samples shall be gathered as flow proportioned (where feasible) composite samples made up of individual samples taken not less than once per hour for the period of time equal to the duration of industrial wastewater discharge during daily operations (including any cleanup shift).

Section 165-119 - Accidental Discharges; SPCC Plan

- (A) Each user shall provide for protection from accidental or slug discharges of prohibited materials or discharges of materials in volume or concentration exceeding limitations of this Law or of an Industrial Wastewater Discharge Permit. Users shall immediately notify the Village of the discharge of wastes in violation of this Law or any Permit. Such discharges may result from:
 - (1) Breakdown of pretreatment equipment
 - (2) Accidents caused by mechanical failure, or negligence
 - (3) Other causes.

Where possible, such immediate notification shall allow the Village to initiate appropriate countermeasure action at the Wastewater Treatment Plant. The user shall prepare a detailed written statement following any accidental or slug discharge, which describes the causes of the discharge and the measures being taken to prevent

future occurrences, within five (5) days of the occurrence, and the Village shall receive a copy of such report no later than the fifth calendar day following the occurrence. Analytical results and their interpretation may be appended to the report at a date not exceeding 45 calendar days after the occurrence.

(B) When required by the Village, detailed plans and procedures to prevent accidental or slug discharges shall be submitted to the Village, for approval. These plans and procedures shall be called a Spill Prevention, Control, and Countermeasure (SPCC) Plan. The plan shall address, at a minimum, the following:

(1) Description of discharge practices, including non-routine batch discharges;

(2) Description of stored chemicals;

(3) Procedures for immediately notifying the Wastewater Treatment Plant of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any provision of the permit and any National Prohibitive Discharge Standard;

(4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

Section 165-120 - Posting Notices

In order that the Industrial User's employees be informed of the Village requirements, a notice shall be permanently posted on appropriate bulletin boards within the user's facility advising employees of the Village requirements and whom to call in case of an accidental discharge in violation of this Law.

Section 165-121 - Sample Splitting

When so requested in advance by an industrial user, and when taking a sample of industrial wastewater, the Village representative(s) shall gather sufficient volume of sample so that the sample can be split into two nearly equal volumes, each of size adequate for the anticipated analytical protocols including any Quality Control (QC) procedures. One of the portions shall be given to the representative of the industrial user whose wastewater was sampled, and the other portion shall be retained by the Village for its own analysis.

Section 165-122 - Public Access to Information Maintained by the Village

When requested, the Village shall make available, to the public, for inspection and/or copying, information and data on industrial users obtained from reports, questionnaires, permit applications, permit and monitoring programs, and inspections, unless the Industrial User specifically requests, and is able to demonstrate to the satisfaction of the Village, that

such information, if made public, would divulge processes or methods of production entitled to protection as trade secrets of the user. Wastewater constituents and characteristics, and reports of accidental discharges shall not be recognized as confidential.

Confidential information shall not be made available for inspection and/or copying by the public but shall be disclosed, upon written request, to governmental agencies, for uses related to this Law, or the SPDES Permit, providing that the governmental agency making the request agrees to hold the information confidential, in accordance with State or Federal Ordinances, Rules and Regulations. The Village shall provide written notice to the industrial user of any disclosure of confidential information to another governmental agency.

Section 165-123 - Access to Property and Records

The Village and other authorized representatives of the Village, representatives of EPA, NYSDEC, NYSDOH, and/or County Health Department, bearing proper credentials and identification, shall be permitted to enter upon all non-residential properties at all times for the purpose of inspection, observation, sampling, flow measurement, and testing to ascertain a user's compliance with applicable provisions of Federal and State Law governing use of the Village Wastewater Treatment Plant, and with the provisions of this Law. Inspections of residential properties shall be performed in proper observance of the resident's civil rights. Such representative(s) shall have the right to set up, on the User's property or property rented/leased by the User, such devices as are necessary to conduct sampling or flow measurement. Guard dogs shall be under proper control of the User while the representatives are on the User's property or property rented/leased by the User. Such representative(s) shall, additionally have access to and may copy any records the User is required to maintain under this Law. Where a User has security measures in force which would require proper identification and clearance before entry into the premises, the user shall make necessary arrangements so that upon presentation of suitable identification, inspecting personnel will be permitted to enter, without delay, for the purpose of performing their specific responsibilities.

Section 165-124 - Access to Easements

A Village Representative, bearing proper credentials and identification, shall be permitted to enter all private premises through which the Village holds an easement for the purpose of inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Village public sewer system lying within the easement. All entry and subsequent work on the easement shall be done in accordance with the terms of the easement pertaining to the private premises involved.

Section 165-125 - Liability of Property Owner

During the performance, on private premises, of inspections, sampling, or other similar operations referred to in Sections 165-123 and 165-124, the inspectors shall observe all applicable safety rules established by the owner or occupant of the premises. The owner

and/or occupant shall be held harmless for personal injury or death of the inspector and the loss of or damage to the inspector's supplies and/or equipment; and the inspector shall indemnify the owner and/or occupant against loss or damage to property of the owner or occupant by the inspector and against liability claims asserted against the owner or occupant for personal injury or death of the inspector or for loss of or damage to the inspector's supplies or equipment arising from inspection and sampling operations, except as such may be caused by negligence or failure of the owner or occupant to maintain safe conditions.

Section 165-126 - Special Agreements

Nothing in this Article shall be construed as preventing any special agreement or arrangement between the Village and any User of the Wastewater Treatment Plant whereby wastewater of unusual strength or character is accepted into the Wastewater Treatment Plant and specially treated, subject to any payments or user charges, as may be applicable. In entering into such a special agreement, the Village shall consider whether the wastewater will:

- (A) Pass-through or cause interference
- (B) Endanger the public municipal employees
- (C) Cause violation of the SPDES Permit
- (D) Interfere with any Purpose stated in Section 165-10
- (E) Prevent the equitable compensation to the Village for wastewater conveyance and treatment, and sludge management and disposal

No discharge which violates the Federal Pretreatment Standards will be allowed under the terms of such special agreements.

No agreement shall be entered into without the user having been issued and presently having a permit to discharge wastes into the Wastewater Treatment Plant for treatment and disposal. Additionally the user shall be in compliance with all conditions in the permit and shall not be in arrears in any charges due to the Village before the agreement is entered into. The Village may condition the agreement.

Article XI - Enforcement and Penalties

Enforcement Response Plan

Section 165-127 - Enforcement Response Plan

The Village has outlined step-by-step procedures in an Enforcement Response Plan to identify, document, and respond to violators of this Sewer Use Law.

- (A) The Enforcement Response Plan:
 - (1) Describes how the Village will investigate instances of non-compliance

(2) Describes the types of escalated enforcement actions that the Village will take in response to all anticipated types of User violations and the time periods within which to initiate and follow-up these actions

(3) Adequately reflects the Village's responsibility to enforce all applicable standards and requirements.

(B) The Enforcement Response Plan shall contain:

(1) Criteria for scheduling periodic inspection and/or sampling visits.

(2) Forms and guidelines for documenting compliance data in a manner which will enable the information to be used as evidence

(3) Systems to track due dates, compliance schedule milestones, and pending enforcement actions

(4) Criteria, responsible personnel, and procedures to select and initiate an enforcement action.

The range of appropriate enforcement actions shall be based on the nature and severity of the violation and other relevant factors, such as:

- Magnitude of the violation
- Duration of the violation
- Effect of the violation on the receiving water
- Effect of the violation on the Wastewater Treatment Plant
- Effect of the violation on the health and safety of the Village employees
- Compliance history of the User
- Good faith of the User
- And shall promote consistent and timely use of enforcement remedies.

The Village shall approve the Enforcement Response Plan. The Enforcement Response Plan shall be reviewed at least every five years.

Administrative Remedies

Section 165-128 - Notification of Violation

Whenever the Village finds that any User has violated or is violating this Law, or any Wastewater Discharge Permit, order, prohibition, limitation, or requirement permitted by this Law, the Village may serve upon such person a written notice stating the nature of the violation. Within ten (10) calendar days of the date the Village mails the notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof shall be submitted to the Village, by the User. The correction and prevention plan shall include specific actions. Submission of this plan in no way relieves the User of liability for any violations caused by the User before or after receipt of the Notice of Violation.

Section 165-129 - Consent Orders

The Village is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the User responsible for the noncompliance. Such orders shall include specific action to be taken by the User to correct the noncompliance within a time period also specified by the order. Consent Orders shall have the same force and effect as an administrative order.

Section 165-130 - Administrative or Compliance Orders

When the Village finds that a User has violated or continues to violate this Law or a permit or administrative order issued thereunder, the Village may issue an administrative order to the User responsible for the discharge directing that, following a specified time period, sewer service shall be discontinued, severed and abated unless the violation is corrected and that there is no reoccurrence of the violation. Administrative orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment technology, additional self-monitoring, and management practices.

The User may, within fifteen (15) calendar days of receipt of such order, petition the Village to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Village by registered mail. The Village shall then:

- (A) Reject any frivolous petitions,
- (B) Modify or suspend the order, or
- (C) Order the petitioner to show cause in accordance with Section 165-134 and may as part of the show cause notice request the User to supply additional information.

Section 165-131 - Administrative Fines

Notwithstanding any other section of this Law, any User who is found to have violated any provision of this Law, or a wastewater discharge permit or administrative order issued hereunder, shall be fined in an amount not to exceed one thousand dollars (\$1,000.00) per violation. Each day on which noncompliance shall occur or continue shall be deemed a separate and distinct violation.

The User may, within fifteen (15) calendar days of notification of the Village's notice of such fine, petition the Village to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Village by registered mail. The Village shall then:

- (A) Reject any frivolous petitions,
- (B) Modify or suspend the fine, or
- (C) Order the petitioner to show cause in accordance with Section 165-134 and may as part of the show cause notice request the User to supply additional information.

Section 165-131 - Cease and Desist Orders

- (A) When the Village finds that a User has violated or continues to violate this Law or any permit or administrative order issued hereunder, the Village may issue an administrative order to cease and desist all such violations and direct those persons in noncompliance to:
 - (1) Comply forthwith
 - (2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or terminating the discharge.
- (B) The User may, within fifteen (15) calendar days of the date the Village mails notification of such order, petition the Village to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Village by registered mail. The Village shall then:
 - (1) Reject any frivolous petitions,
 - (2) Modify or suspend the order, or
 - (3) Order the petitioner to show cause in accordance with Section 165-134 and may as part of the show cause notice request the User to supply additional information.

Section 165-132 - Termination of Permit

- (A) Any User who violates the following conditions of this Law or a wastewater discharge permit or administrative order, or any applicable or State and Federal Law, is subject to permit termination:
 - (1) Violation of permit conditions or conditions of an administrative order,
 - (2) Failure to accurately report the wastewater constituents and characteristics of its discharge,
 - (3) Failure to report significant changes in operations or wastewater constituents and characteristics,
 - (4) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling, or
 - (5) Failure to pay administrative fines, fees or user charges.
- (B) Non-compliant industrial Users will be notified, by registered mail, of the proposed termination of their wastewater permit. The User may, within fifteen (15) calendar days of the date the Village mails such notification, petition the Village to permit continued use of the Wastewater Treatment Plant by the User. Such petition shall be in written form and shall be transmitted to the Village by registered mail. The Village shall then:
 - (1) Reject any frivolous petitions,
 - (2) Order the petitioner to show cause in accordance with Section 165-134 and may as part of the show cause notice request the User to supply additional information.

Section 165-133 - Water Supply Severance (Public Water Supply)

Whenever a User has violated or continues to violate the provisions of this Law or an order or permit issued hereunder, water service to the User may be severed and service will only recommence, at the User's expense, after it has satisfactorily demonstrated its ability to comply. The User may, within fifteen (15) calendar days of severance, petition the Superintendent to reconnect water supply service. Such petition shall be in written form and shall be transmitted to the Superintendent by registered mail. The Superintendent shall then:

- (1) Reject any frivolous petitions,
- (2) Reconnect the water supply, or
- (3) Order the petitioner to show cause in accordance with Section 165-134 and may as part of the show cause notice request the User to supply additional information.

Section 165-134 - Show Cause Hearing

The Village may order any User appealing administrative remedies for violations of this Law to show cause, before the Village, why an enforcement action, initiated by the Village, should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held by the Village regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause before the Village why the proposed enforcement action should not be taken. The notice of the hearing shall be served at least ten (10) calendar days before the hearing in accordance with Section 165-136 of this Article. Service shall be made on any principal or executive officer of a User's establishment or to any partner in a User's establishment. The notice of the hearing shall be served at least ten (10) calendar days before the hearing, in accordance with Section 165-136. The Village may itself conduct the hearing, or may designate any of its members or any officer or employee of the Village to conduct the hearing:

- (A) Issue, in the name of the Village, notices of hearings requesting the attendance and testimony of witnesses, and the production of evidence relevant to any matter involved in such hearings,
- (B) Take the evidence,
- (C) Take sworn testimony,
- (D) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Village for action thereon.

After the Village has reviewed the evidence and testimony, it may order the user to comply with the Village's order or fine, modify the Village's order or fine, or vacate the Village's order or fine.

Section 165-135 - Failure of User to Petition the Village

In the event the Village issues any administrative order, terminates the User's permit, or makes any fine as set forth in this Article, and the User fails, within the designated period of time set forth, to petition the Village, as provided in appropriate sections of this Article, the

User shall be deemed in default and its rights to contest the administrative order or fine shall be deemed waived.

Section 165-136 - Notice

The notices, orders, petitions, or other notification which the User or Village shall desire or be required to give pursuant to any sections of this Law shall be in writing and shall be served personally or sent by certified mail or registered mail, return receipt requested, postage prepaid, and the notice, order, petition, or other communication shall be deemed given upon its mailing as provided herein. Any notice, administrative order, or communication mailed to the User pursuant to the sections of this Law shall be mailed to the User where the User's effluent is discharged. Any notice, petition, or other communication mailed to the Village shall be addressed and mailed to the Village Hall of the Village.

Section 165-137 - Right to Choose Multiple Remedies

The Village shall have the right, within the Village's sole discretion, to utilize any one or more appropriate administrative remedies set forth in this Article. The Village may utilize more than one administrative remedy established pursuant to this Article, and the Village may hold one show cause hearing combining more than one enforcement action.

Judicial Remedies

Section 165-138 - Civil Actions for Penalties

Any person who violates any of the provisions of or who fails to perform any duty imposed by this Law, or any administrative order or determination of the Village promulgated under this Law, or the terms of any permit issued hereunder, shall be liable to the Village for a civil penalty not to exceed one thousand dollars (\$1000) for each such violation, to be assessed after a hearing (unless the User waives the right to a hearing) held in conformance with the procedures set forth in this Article. Each violation shall be separate and distinct violation, and in the case of continuing violation, each day's continuance thereof shall be deemed a separate and distinct violation. Such penalty may be recovered in an action brought by the Village attorney, or his designated attorney, at the request of the Village in the name of the Village, in any court of competent jurisdiction giving preference to courts local to the Village. In addition to the above described penalty, the Village may recover all damages incurred by the Village from any persons or Users who violate any provisions of this Law, or who fail to perform any duties imposed by this Law or any administrative order or determination of the Village promulgated under this Law, or the terms of any permit issued hereunder. In addition to the above described damages, the Village may recover all reasonable attorney's fees incurred by the Village in enforcing the provisions of this Article, including reasonable attorney's fees incurred in any action to recover penalties and damages, and the Village may also recover court costs, and other expenses associated with the enforcement activities, including sampling and monitoring expenses.

In determining the amount of civil penalty, the court shall take into account all relative circumstances, including, but not limited to the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other relative factors as justice may require.

Such civil penalty may be released or compromised by the Village before the matter has been referred to the Village attorney, and where such matter has been referred to the Village attorney, any such penalty may be released or compromised and any action commenced to recover the same may be settled and discontinued by the Village attorney, with the consent of the Village.

Section 165-139 - Court Orders

In addition to the power to assess penalties as set forth in this Article, the Village shall have the power, following the hearing held in conformance with the procedures set forth in this Article, to seek an order:

- (A) Suspending, revoking, or modifying the violator's Wastewater Discharge Permit, or
- (B) Enjoining the violator from continuing the violation.

Any such court order shall be sought in an action brought by the Village attorney, at the request of the Village, in the name of the Village, in any court of competent jurisdiction giving precedence to courts local to the Village.

The Village attorney, at the request of the Village shall petition the Court to impose, assess, and recover such sums imposed according to this Article. In determining amount of liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

Section 165-140 - Criminal Penalties

Any person who willfully violates any provision of this Law or any final determination or administrative order of the Village made in accordance with this Article shall be guilty of a Class A Misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Five Hundred Dollars (\$500) nor more than One Thousand Dollars (\$1,000), or imprisonment not to exceed one (1) year or both. Each offense shall be a separate and distinct offense, and, in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense.

Any User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this Law, or wastewater permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Law shall be guilty of a Class A Misdemeanor and, upon conviction, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) per violation per day or imprisonment for not more than one (1) year or both.

No prosecution, under this Section, shall be instituted until after final disposition of a show cause hearing, if any, was instituted.

Section 165-141 - Additional Injunctive Relief

Whenever a User has violated or continues to violate the provisions of this Law or permit or order issued hereunder, the Village, through counsel may petition the Court, in the name of the Village, for the issuance of a preliminary or permanent injunction or both (as may be appropriate) which restrains the violation of, or compels the compliance with any order or determination there under by the Village.

Section 165-142 - Summary Abatement

Notwithstanding any inconsistent provisions of this Law, whenever the Village finds, after investigation, that any User is causing, engaging in, or maintaining a condition or activity which, in the judgment of the Village, presents an imminent danger to the public health, safety, or welfare, or to the environment, or is likely to result in severe damage to the Wastewater Treatment Plant or the environment, and it therefore appears to be prejudicial to the public interest to allow the condition or activity to go unabated until notice and an opportunity for a hearing can be provided, the Village, without prior hearing, order such User by notice, in writing wherever practicable or in such other form as practices are intended to be proscribed, to discontinue, abate, or alleviate such condition or activity, and thereupon such person shall immediately discontinue, abate or alleviate such condition or activity; or where the giving of notice is impracticable, or in the event of a User's failure to comply voluntarily with an emergency order, the Village may take all appropriate action to abate the violating condition. As promptly as possible thereafter, not to exceed fifteen (15) calendar days, the Village shall provide the User an opportunity to be heard, in accordance with the provisions of this Article.

If the User is not within the geographic boundaries of the Village the right of summary abatement to discontinue, abate, or alleviate conditions or activities shall be those prescribed in the inter-municipal agreement.

The Village, acting upon the belief that an emergency exists, shall be indemnified against any personal liability that may arise in the performance of his duties to protect the public health, safety, or welfare, or to preserve the Wastewater Treatment Plant or the environment.

Miscellaneous

Section 165-143 - Delinquent Payments

If there shall be any payments which are due to the Village, or any Department thereof, pursuant to any Article or Section of this Law, which shall remain due and unpaid, in whole or in part, for a period of thirty (30) calendar days from the date of billing by the Village, the same shall constitute a default, and there shall be added to the entire amount of the original bill, a penalty equal to ten percent (10%) of the original bill.

In the event that there are any sewer taxes, assessments, or other service charges which are delinquent as of May 1 of any year for a period of at least sixty (60) calendar days, the Village shall report the names of the defaulting persons to the Village Mayor, the Village Clerk, the Tax Receiver of Taxes, and the Village Treasurer on or before May 1 of the same year. The Village Receiver of Taxes is hereby directed to add the entire amount of the sewer tax, assessment, or other service charge which shall be in default, plus penalties, as provided for in this Law, to the real property taxes due and owing to Village in the next succeeding year, and the Village Receiver of Taxes is directed to collect the same in the same manner as real property taxes due and owing to the Village are collected.

Where charges are delinquent and the violator is not a resident of the Village, or is located outside the geographical boundaries of the Village, then the Village attorney is authorized to seek recovery of charges, including punitive damages, in a court of competent jurisdiction or make arrangements with the appropriate county where the User is located to add the amount of the sewer assessment or other charges which shall be in default, plus penalty and interest, as provided for in the Law, to the real property taxes due to the County in the next ensuing year.

Section 165-144 - Performance Bonds

The Village may decline to reissue a permit to any User which has failed to comply with the provisions of this Law or any order or previous permit issued hereunder unless such User first files with it a satisfactory bond, payable to the Village, in a sum not to exceed a value determined by the Village to be necessary to achieve consistent compliance.

Section 165-145 - Liability Insurance

The Village may decline to reissue a permit to any User which has failed to comply with the provisions of this Law or any order or previous permit issued hereunder, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair Wastewater Treatment Plant damage caused by its discharge.

Section 165-146 - Informant Rewards

The Village is authorized to pay up to \$500 for information leading to the discovery of noncompliance by a User. In the event that the information provided results in an administrative fine or civil penalty levied against the User, the Village is authorized to disperse up to ten (10) percent of the collected fine or penalty to the informant. However, a single reward payment may not exceed \$10,000, including the discovery reward.

Section 165-147 - Public Notification

The Village shall provide public notification, in the daily newspaper with the largest circulation in the Village, of Users which were in significant non-compliance with local or Federal pretreatment standards or requirements since the last such notice. The frequency of such notices shall be at least once per year.

Section 165-148 - Contractor Listings

- (A) Users which have not achieved consistent compliance with applicable pretreatment standards and requirements are not eligible to receive a contractual award for the sale of goods or services to the Village.
- (B) Existing contracts for the sale of goods or services to the Village held by a User found to be in significant violation with pretreatment standards may be terminated at the discretion of the Village.

Article XII - Charges

Section 165-149 - Sewage Service Charges

All persons discharging or depositing wastes into the public sewers shall pay a sewer service charge based upon the consumption of water used as indicating the extent of the use of said system and proportional to the liquid volume of waste so deposited, which charge shall be collected as a sewer rent.

Section 165-150 – Normal Wastewater Sewer Rent

For the service rendered by the sewer system to the owners and to other users of real property within the corporate limits of the village connected with and served by the sewer system and the payment of the cost of construction, operation, maintenance and repair of said system as hereinbefore defined, there is hereby established a scale of sewer rents which, except as otherwise provided herein, will be based upon the consumption of water used as indicating the extent of the use of said system. The sewer rents shall be as set forth in Part I of this Chapter.

Section 165-151 - Surcharge for Abnormal Wastewater

All persons discharging or depositing wastes with concentrations in excess of the pollutant concentrations in normal Wastewater shall pay a sewerage surcharge fee as determined by the Village Board.

Section 165-152 - Connection, disconnection and reconnection fees.

- (A) A charge of twenty-five, dollars (\$25.00) each will be made whenever a sewage meter is connected, disconnected or reconnected
- (B) A charge of twenty-five dollars (\$25.00) will be made whenever any water meter is disconnected or reconnected because of nonpayment of sewer rents or other charges relating to the use of the sewer system.
- (C) The charges provided in this Section are each separate from those authorized by Sections 165-150 and 165-151, and shall be made and shall be enforceable in the same manner as sewer rents.

Section 165-153 - Measurement of Flow

- (A) The use of the sewage system, as indicated by the amount of water used, shall be based on readings of water meters, where installed. Any owner or occupant who does not use water supplied by the village or who is using water supplied by the Village but is also obtaining water from other sources and discharging the same into the Village sewer system shall make application, on a form to be supplied by the Village, for the use of a suitable sewage meter, of a kind and size to be specified by the Village, to measure the amount of sewer discharging from the property. Such meter shall be installed, maintained and repaired at the expense of the applicant. The meter will remain the property of the Village but the owner of the premises in which said meter is installed shall be entitled to permanent use of said meter, subject to the requirements of this Part 1 and subject to compliance with this Part 1 by the owner or other users of the premises. Such owner shall be required to pay for such use a charge, herein also referred to as a "meter charge," which shall be equivalent to the current cost to the Village of such meter. No part of the meter charge will be refunded upon any discontinuance of sewer service, but if a sewage meter is subsequently installed on the same premises, the owner or occupant shall not be required to pay again the meter charge, provided that the same meter or a meter of the same construction, size and type can be installed.
- (B) For the period in which no meter is installed and operating on any property or cannot be installed thereon or if such meter has ceased to register or has registered inaccurately, the charge for the use of the sewerage facilities shall be based on such equitable basis as the Village may determine, which shall take into account previous uses and charges, if any, and all other pertinent information and other factors.

Section 165-154 - Revenues to be kept in Sewer Rent Fund

As provided in Part I of this Chapter, all revenues imposed hereunder, together with all interest and penalties thereon, shall be kept in a separate fund to be known as the "Sewer Rent Fund."

Section 165-155 - Segmenting of Wastewater Treatment Plant

The Service Area of the Wastewater Treatment Plant may be segmented to assist in a fair distribution of user charges, especially if there is a pump station serving a segment.

Section 165-156 - Billing; Late Payment Penalty

- (A) A separate charge shall be made and a separate bill shall be rendered for each water meter or sewage meter when there is more than one (1) such meter on any one (1) property or structure. Each unit for which there is a separate water or sewage meter shall be deemed to be a separate sewer service account and will be billed separately even if there is but one (1) sewer connection with the structure or property in which said unit is located. The minimum charge for sewer rentals established by this Part 1 shall be charged even if the property is unoccupied and no consumption of water is shown on the water meter or if no sewage is discharged into the sewer system.
- (B) Sewer rents shall be billed during the months of February, May, August and November of each year.
- (C) Sewer rent bills shall be due and payable on the due date designated on the bill. See Section 165-143 with respect to Delinquent Payments.
- (D) The Village Clerk, or other person authorized by the Board of Trustees, shall keep a record of all owners of real property within the Village of Groton, and bills shall be mailed to the owners of such property at the same address to which village tax bills are mailed, unless the owner of the property shall direct the village, in writing, on forms which can be obtained from the Village Clerk's office, to mail such bills to him, her, or to the owner's agent at any other address. If bills for sewer rents and charges are mailed to a person other than such owner and such bills are not paid, such owner shall nevertheless be liable for the payment of all sewer rents and charges.
- (E) The failure of any owner or other user to receive a bill promptly shall not excuse nonpayment of the same when due as herein provided, and in the event that the owner or other user fails to receive a bill promptly, he or she shall obtain the same at the office of the Village Clerk.

Section 165-157 - Pretreatment Program Costs

The additional charges and fees associated with the operation of the pretreatment program shall be assessed to the User, and include:

- (A) Reimbursement of costs of setting up and operating the pretreatment program
- (B) Issuing permits
- (C) Monitoring, inspections, and surveillance procedures

- (D) Costs of equipment and supplies
- (E) Reviewing accidental discharge procedures
- (F) Construction inspections
- (G) Filing appeals
- (H) Application for consistent removal status as outlined in 40 CFR 403
- (I) other reasonable expenses to carry out the program to satisfy the requirements of this Law, the Village, NYSDEC, and the Federal government

Section 165-158 - Capital Recovery

The Village may institute an equitable procedure for recovering the costs of any capital improvements of those parts of the sewer system which collect and pump wastewaters from those persons discharging such wastewaters into the collection system.

Section 165-159 - Fiscal Year for System

The Village of Groton Wastewater Treatment Plant shall be operated on the basis of a fiscal year commencing on the first day of June and ending on the thirty-first day of May.

Section 165-160 - Impact Fees

The Village shall have the authority to impose impact fees on new development, which development may:

- (A) Cause enlargement of sewers tributary to the Wastewater Treatment Plant.
- (B) Cause increased hydraulic and/or treatment demands on the Wastewater Treatment Plant.

Section 165-161 - Use of Revenues

Revenues derived from user charges and associated penalties, and impact fees, shall be credited to a special fund. Monies in this fund shall be used exclusively for the following functions:

- (A) For the payment of the operation and maintenance, including repair and replacement costs of the Village sewer collection system.
- (B) For the discovery and correction of inflow and infiltration,
- (C) For the payment of interest on and the amortization of or payment of indebtedness which has been or shall be incurred for the construction of Wastewater Treatment Plant improvements.
- (D) For the extension, enlargement, replacement of, and/or additions to Village sewers tributary to the Wastewater Treatment Plant, including any necessary appurtenances.

Section 165-162 - Records and Accounts

The Village shall maintain and keep proper books of records and accounts for sewers tributary to the Wastewater Treatment Plant, separate from all other records and accounts, in which shall be made full and correct entries of all transactions. There shall be an annual review of the sewer charge system to determine if it is adequate to meet expenditures for all programs for the coming year.

Classification of old and new industrial users should also be reviewed annually.

The Village shall maintain and carry insurance on physical properties of the Wastewater Treatment Plant, of the kinds and in the amounts normally carried by public utility companies and municipalities engaged in the operation of Wastewater systems. All moneys received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the property damaged or destroyed.

Section 165-163 - Annual Schedule of Charges

The Village Board has adopted a Schedule of Charges and Fees related to the connection to and use of the Village sewer system. The Village Board is authorized to adopt such Schedule by resolution and upon adopting such a Schedule the fees and charges set forth therein shall be deemed to be incorporated into this local law by reference. The current Village of Groton Schedule of Charges/Fees is as follows:

Village of Groton
 Schedule of Charges/Fees
 Adopted by Resolution _____, 2010

Requirement	Section	Charge
Connection Charge	201	<i>\$800 /connection based upon complexity of new services</i>
Significant Industrial User Fee	1003B	<i>Included in Sewer Tents charged to Significant Industrial User</i>
Industrial Wastewater Discharge Application Fee	1004A	<i>Up to \$1,500/year. Can vary depended on wastewater characteristics</i>
Inflow Surcharge	705	<i>0</i>
Impact Fees on New Development	1212	<i>To be determined per project</i>
Lateral Permit Fee	602	<i>Included in connection charge</i>
Letter of Credit	606B	<i>At the discretion of the Village</i>
New Sewer Inspection Fee	502A	<i>Included in connection charge</i>
New Sewer Warranty/Surety Value	507	<i>At the discretion of the Village</i>
Outside User Fee	309	<i>At the discretion of the Village</i>
Pretreatment Program Costs	1207	<i>Can vary depending on wastewater characteristics</i>
Surcharge for Abnormal Wastewater	1203	<i>Can vary depending on wastewater characteristics</i>
Total Sewer Service Charge, Including Late Payment Penalty	1202, 1203, 1207	<i>Can vary depending on wastewater characteristics</i>
Street Disturbance Permit*	508	<i>Included in connection charge</i>

Violations to Local Law	1100	<i>\$250 to \$1,000/day based upon severity of violation</i>
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* A similar permit may be required from State or County if State highway or County highway is impacted.

In addition, any costs and expenses or other charges incurred by the Village because of any repair or other work to the sewer system or otherwise for which the owner of any property served by or connected with the sewer system is obligated under this Law or any other ordinance, statute or provision of law shall be collected in the manner provided for the collection of sewer rents in this Section and shall be a lien upon the property and enforceable in accordance with the provisions of this Law.

Note: The above listing is provided as a guide only and not intended to identify all cost for a proposed developer or person seeking or receiving wastewater service in the Village. There are various activities contained in this Law and any Rules and Regulations that must be paid directly by the owner.

Section 165-164 – Authority to Access Property

Any duly authorized officer, employee, contractor or agent of the village or other person duly authorized by the village shall be permitted to enter on any property at reasonable hours for the purpose of reading meters, inspecting, disconnecting, and repairing, or for any other purposes reasonably necessary to carry out the provisions or purposes of this Law.

Article XIII - Public Disclosure of Village Wastewater Treatment Plant Operations

Section 165-165 - Wastewater Treatment Plant Operations Open to the Public

It shall be the policy of the Village to conduct all business with full disclosure to the public.

Section 165-166 - Procedural Requirements Available

The nature and requirements of all formal procedures for applying for a permit and for requesting a permit under this Law and for requesting a hearing shall be formulated by the Village and be made available to any resident of the Village upon request.

Section 165-167 - Validity through Public Inspection

The Village shall formulate procedures to make available to the public for inspection such orders, statements of policy, and interpretations used by the Village in administration of this Law. No rule, regulation, or civil order shall be valid until it has been available for public inspection.

Article XIV - Conflicts, Severability, Effective Date and Applicability

Section 165-168 - Conflicts

The provisions of any Village Law in conflict with any provision of this Law are hereby repealed.

Section 165-169 - Severability

Each provision of this Law is severable from the others, so that if any provision is held to be illegal or invalid for any reason whatsoever, such illegal or invalid provision shall be severed from this Law which shall nonetheless remain in full force and effect.

Section 165-170 - Applicability

Articles I through XIV shall apply in all incorporated areas of the Village.

§2. This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with §27 of the Municipal Home Rule Law.