

ARTICLE I

Section 1: The purpose of this Law is to provide for the maximum possible beneficial public use of the Town Sewer District waste water facilities and prevent public health problems through regulation of sewer construction, sewer use and wastewater discharges. This Law shall also provide for procedures for complying with the requirements contained herein and penalties for violation thereof. The provisions of this Law shall apply to the discharge of all wastewater to facilities of the District. This Law provides for use of the District wastewater facilities, regulation of sewer construction, control and the quantity and quality of wastewater discharge, wastewater pre-treatment, assurance that existing customers' capacity will not be preempted, approval of sewer construction plans, separate contracts for significant industrial users, minimum sewer connection standards and conditions, and penalties and other procedures in cases of violation of this Law.

In order to establish and operate the sewer department and the sewage facilities of the District as a separate utility and to insure its proper operation, repair and maintenance, it shall be the policy of the District to establish and impose a scale of annual charges for the use of the sewer system or any part or parts thereof.

The definitions of terms used in this Law are found in Article II.

ARTICLE II

Section 1: "Act" shall mean the Federal Water Pollution Control Act as amended in the Clean Water Act of 1977 (32USC 1150 et. seq.).

Section 2: "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20', expressed in milligrams per liter.

Section 3: "Building Drain" shall mean that part of the lowest horizontal piping of a sanitary drainage system which receives the discharge from soil, waste, and other sanitary drainage pipes, inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Section 4: "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 5: "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

Section 6: "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Section 7: "Industrial Wastes" shall mean the liquid and liquid-borne wastes from any industrial process or from an industrial plant or factory as distinct from sanitary sewage.

Section 8: "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

Section 9: "Person" shall mean any individual, firm, company, association, society, corporation or group.

Section 10: "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in gram per liter of solution.

Section 11: "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Section 12: "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

Section 13: "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.

Section 14: "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

Section 15: "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 16: "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Section 17: "Shall" is mandatory; "May" is permissive.

Section 18: "Significant Industrial User" shall mean any user who (1) has a discharge flow of 25,000 gallons or more per average work day, or (2) has a flow greater than 5% of the flow in the municipality's wastewater system or (3) has in his waste toxic pollutants as defined pursuant to Section 307 of the ACT, or (5) is found by the District to have a significant impact, either singly or in combination with other contributing industries, on the treatment or collection system.

Section 19: "Slug" shall mean any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.

Section 20: "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface water and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Section 21: "Superintendent" shall mean the Superintendent of the Sewage Works and/or Water works or his authorized deputy, agent, representative or appointee of the District.

Section 22: "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

Section 23: "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 24: "Publicly Owned Treatment Works (POTW)" shall mean a treatment works as defined by Section 212 of the ACT (33 USC 1292). Includes any sewers that convey wastewater to the POTW but does not include pipes, sewers or other conveyances not connection to a facility providing treatment.

Section 25: "Contamination" shall mean an impairment of the quality of the waters of the State by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease.

Section 26: "Pollution" shall mean the man-made-induced alteration of the chemical, physical, biological and radiological integrity of water.

Section 27: "Pretreatment" shall mean the reduction of the amount of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 CRF 403.6 General Treatment Regulations for Existing and New Sources of Pollution.

Section 28: "New York State Department of Environmental Conservation or NYSDEC" shall mean the NYS Department of Environmental Conservation or other duly authorized official of said Department.

Section 29: "United States Environmental Protection Agency or USEPA" shall mean the U.S. Environmental Protection Agency or where appropriate, a designation for the administrator or other duly authorized official of said agency.

Section 30: The term "sewer rent" shall mean the rent, rate or charge imposed or levied by the District for the use of the sewer system or any part or parts thereof. It shall be comprised of two portions; capital debt redemption and operation and maintenance.

Section 31: The term "NYSDOH" shall mean the New York State Department of Health or other duly authorized official of said department.

Section 32: The term "Slate" shall mean the State of New York.

Section 33: The term "Infiltration" shall mean water, other than wastewater, that enters a sewer system (excluding sewer service connections and foundation 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.

Section 34: The term "Inflow" shall mean water, other than wastewater, that enters a sewer system (including sewer service connections) 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, 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.

Section 35: The term "Interference" shall mean a discharge which, alone or in conjunction with discharges by other sources, inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use of disposal and which is a cause of violation of any requirement of the POTW's SPDES permit (including an increase in the magnitude of duration of violation) or of the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, 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), the Clean Air Act, the Toxic Substance Control Act and the Marine Protection Research and Sanctuaries Act.

Section 36: The term "Receiving Water" shall mean a natural water course or body of water (usually waters of the State) into which treated or untreated sewage is discharged.

Section 37: The term "Toxic Substances" shall mean any substance, whether gaseous, liquid, or solid, that when discharged to a public sewer in sufficient quantities may be hazardous to sewer maintenance personnel, tend to interfere with any biological sewage treatment process, or to constitute a hazard to recreation in the receiving waters, of the effluent from a sewage treatment plant or overflow point. Any pollutant or combination of pollutants listed as toxic regulations promulgated by the EPA under provisions of CWA 307 (A), or other Acts.

ARTICLE III

Section 1: It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town of Forestport Sewer District No. 1, or on any area under the jurisdiction of said District, any human or animal excrement, garbage or other objectionable waste.

Section 2: It shall be unlawful to discharge to any natural outlet within the Town of Forestport Sewer District No. 1, or in any area under the jurisdiction of said District, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Law.

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

Section 4: The owner of all houses, building or properties used for human occupancy, employment, recreation or other purposes, situated within the District, is hereby required at his expense, to install suitable toilet facilities therein, and to connect such facilities directly to the proper public sewer in accordance with the provisions of this Law, within ninety (90) days after the date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line.

ARTICLE IV

Section J: Where a public sanitary or combined sewer is not available under the provisions of Article III, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Section 2: Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the District Clerk. The application for such permit shall be made on a form furnished by the District, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Superintendent. A permit and inspection fee of \$20.00 shall be paid to the Town at the time the application is filed.

Section 3: A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the superintendent when the work is ready for final inspection and before underground portions are covered. The inspection shall be made within twelve normal working hours of the receipt of notice by the Superintendent.

Section 4: The type, capacities, locations and layout of a private sewage disposal system shall comply with all recommendations and requirements of the Department of Public Health of the State of New York and the New York State Fire Prevention and Building Construction Code. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Section 5: At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article III, Section 4, a direct connection shall be made to the public sewer, within ninety (90) days, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned at the property owners expense.

Section 6: The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District or the Town of Forestport.

Section 7: No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Building Codes Enforcement Officer.

ARTICLE V

Section 1 . 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 Superintendent.

Section 2: There shall be two (2) classes of building sewer permits:

- (a) for residential and commercial service and
- (b) for service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a form furnished by the District. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee for a residential or commercial building sewer permit and for an industrial building sewer permit shall be paid to the District at the time the application is filed, and shall be charged at the then current fee, as established by the District. No significant industrial user may become tributary to the District's sewer system until such time as the industrial user enters into an industrial sewer use agreement with the District.

Section 3: All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 4: A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 5: Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Law.

Section 6: The size, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench,, shall all conform to the following:

- (a) Materials:

The following piping materials are acceptable for use as building sewers:

1. Ductile Iron - Class 50.
- 2.. PVC Schedule 40 or sewer pipe standard dimension ratio 21. Stab type fittings and joints with locked in rubber sealing rings meeting ASTM D-1869 or solvent welded joints. Acceptable manufacturers, Johns-Manville, Certaintec, or equal.
3. Cast Iron Pipe ASA Specification 21 with minimum working pressure of 150 psi. exterior to be coated with coal tar pitch, interior

varnished. Fittings and joints to be push on type with rubber seal rings. Acceptable manufacturers U.S. Pipe, Pioneer, or equal.

4. Adapters from one size pipe to another or from one type of material to another shall be designed for the particular union for which it will be used and shall be manufactured by Fernco or by the manufacturer of the pipe being used.

(b) Installation:

1. All building sewers shall originate from the sewer main or lateral stub, if one is available. When one is not available the Superintendent will install one and charge the homeowners for all required work at the cost to the District.
2. Minimum size building sewer pipe is 4". All buildings constituting four thru eight sewer users shall install six inch "minimum" building sewers. All building sewers for more than eight combined equivalent users should be sized by a licensed engineer. All building sewers, shall be brought to the building below ground level. When rock interfaces with these installation depths, the pipe may run above the rock whenever a minimum cover of 24" and the minimum slope is maintained.
3. Four inch building sewer pipe shall be installed at a minimum slope of 1.5% or 3/16" per foot.
4. Six inch building sewer pipe shall be installed at a minimum of 1.0% or 1/8" per foot.
5. All building sewer pipe shall be laid on a 4" bed of #1 crushed stone or gravel, free of stones larger than one inch. The pipe backfill material to a level 12 inches above the pipe shall be free of stones larger than 2".
6. All connections shall be made gastight and watertight. Any deviation from the procedures and materials as set forth in this section must be approved by the Superintendent before installation.
7. In all buildings in which any building drain is too low to permit gravity flow to the main sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
9. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.
10. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property

disturbed in the course of the work shall be restored in a manner satisfactory to the District.

ARTICLE VI

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

Section 2: Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, or natural outlet.

Section 3: No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any water or waste that will potentially create a fire or explosion hazard including, but not limited to, gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas; or any liquid, solids or gases which, by reason of their nature or quantity, are sufficient, either alone, or by interaction with other substances, to cause fire, explosion or be injurious in any other way to in POTW or the operation of POTW. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system, (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter.

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

- (a) Any liquid or vapor having a temperature higher than one hundred fifty degrees F (150°F), (65°C). or in such quantities that the temperature at the treatment works influent exceeds 104°F, (40°C).
- (b) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F. (0 to 65° C).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of one (1) horsepower or greater shall be subject to the review and approval of the Superintendent.

- (d) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

The maximum concentrations of toxic components, of industrial or commercial or institutional wastes discharged by any person shall not exceed the following limits:

<u>PARAMETER</u>	Effluent Concentration Limits (mg/l)	
	30 Day Ave.	24 Day Ave.
Cadmium	0.4	0.8
Hex Chromium	0.2	0.4
Total Chromium	4.0	8.0
Copper	0.8	1.6
lead	0.2	0.4
Mercury	0.2	0.4
Nickel	4.0	8.0
Zinc	1.2	2.4
Arsenic	0.2	0.4
Available Chlorine	50.0	50.0
Cyanide-free	0.4	0.8
Cyanide-complex	1.6	3.2
Selenium	0.2	0.4
Sulfide	6.0	12.0
Barium	4.0	8.0
Manganese	4.0	8.0
Gold	0.2	0.4
Silver	0.2	0.4
Fluorides		
To Fresh Water	6.0	12.0
To Saline Water	36.0	72.0
Phenol	4.0	8.0

- (I) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- (h) Any waters or wastes having a pH in excess of 9.0 or less than 6.0.
- (i) Materials which exert or cause:
 - I. Unusual concentrations of inert suspended solids such as, but not limited to, Fullers earth, lime slurries and lime residues, or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.

2. Any odor or color exceeding concentration limits which may be established by the Town for purposes of meeting the Town's National Pollution Discharge Eliminations Systems Permit.

Section 5: If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this article, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- (a) Reject the wastes;
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (c) Require control over the quantities and rates;
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this Article. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances and laws, and shall bear the signature of a Professional Engineer licensed to practice in the State of New York.

Section 6: Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

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

Section 8: All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Law shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls whereas pH's are determined from periodic grab samples). (See Article VI, Section 8).

Section 9: No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefore, by the industrial concern.

Section 10: In the event any person accidentally discharges into the sewage works any sewage in violation of this Local Law, he shall immediately notify the Superintendent of such discharge. The user shall, within fifteen (15) days of notification, present to the Superintendent, a detailed written statement describing the cause of the accidental discharge and what measures the user has taken to prevent a future occurrence. The written notification to the Superintendent shall not relieve the person of liability for any expense, loss or damage to the sewage work or for any fines imposed on the TOWN OF FORESTPORT SEWER DISTRICT NO. 1 under applicable State and Federal regulations.

ARTICLE VII

Section 1: No unauthorized person shall maliciously, willfully or negligently break, damage, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. A charge of disorderly conduct shall be in addition to any other charges which may be brought against the person under any other provision of law which may be applicable.

ARTICLE VIII

Section 1: The Superintendent and the NYSDEC, and other duly authorized employees thereof, bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Law.

The Superintendent, or his representatives, shall have no authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Section 2: The Town and/or District shall have the right to set up on a user's property, such devices as are necessary to conduct sampling or metering operations. The Town may, at reasonable times, have access to and copy any records. inspect any monitoring equipment, or method required by Town and/or District wastewater discharge laws and sample any effluents which the owner or operator of such source is required to sample. Where a user has security measurers in force, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the Town and/or District will be permitted to enter without delay.

Section 3: While performing the necessary work on private properties referred to in Article VIII, Section 1 above, the Superintendent or duly authorized employees of the Town and/or District shall observe all safety

rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Town and/or District employees and the Town and/or District shall indemnify the company against loss or damage to its property by Town and/or District employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article VI, Section 8.

Section 4: The Superintendent and other duly authorized employees of the Town and/or District and officials of the New York State Department of Environmental Conservation, bearing proper credentials and identification, shall be permitted to enter all private properties through which the Town and/or District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX

Section 1: All fees and charges payable under the provisions of this Law shall be paid to the Town and/or District. The District does hereby establish and impose a scale of sewer rents for the service rendered by the sewer system to the real property connected and served by the sewer system or benefit by the availability of the sewer system/treatment system or any part thereof. The value of one unit of sewer rent shall be determined annually by the Board of Commissioners of the District and shall be determined according to the following formula:

DEBT REDEMPTION PORTION:

a. **COLLECTION SYSTEM AND TREATMENT SYSTEM:**

<u>Yearly Total Cost of Bonds including principal & interest</u>	X	Assigned Units of
Total Number of Units in the System		Each Benefitted Property Owner

OPERATION AND MAINTENANCE:

<u>Yearly Total Budgeted O&M to be collected</u>	X	Assigned Units of
Total Number of Units Connected to the System		Each Benefitted Parcel Connected to Sewer

Section 2: The number of units of the property connected shall be determined by the following schedule:

No.	Classification	# of Benefitted Units Per Classification
1	One Family Residence	1 Unit
2	Two Family Residence	2 Units
3	For each additional Family or Apartment Over listing described	1 Unit
4	Offices (per 12 employees & or minimum charge)	1 Unit
5	Commercial Use without living quarters - (Store) (Per 12 employees. Minimum 1 Unit Charge)	1 Unit
6	Commercial Use with living quarters for one family	2 Units
7	Commercial USE with living quarters for two families	3 Units

8	Gas Stations & Garages	1 Unit
9	Churches with plumbing	1 Unit
10	Restaurant without living quarters	2 Units
11	Restaurant with living quarters for one family	3 Units
12	Bar	1 Units
13	Bar with restaurant	4 Units
14	Bar only with living quarters for one family	2 Units
15	Beauty Shops or Barber Shops	1 Unit
16	Laundromat (per washer)	1/2 Unit
17	Post Office	1 Unit
18	Nursing Homes (per bed)	1 Unit
19	School (per 14 students & staff or portion thereof)	1 Unit
20	Motel, Hotel & Tourist Homes, per room	1/2 Unit
21	Car Wash	3 Units
22	Library or Museums	1 Unit
23	Marina System	2 Units
24	Lot in District, no water or sewer (buildable)	1/2 Unit
25	Churches without plumbing	1/2 Unit
26	Fire Hall	1 Unit
27	Church Halls: with plumbing	1 Unit
28	_____	Units
29	_____	Units
30	_____	Units
31	_____	Units
32	_____	Units
33	_____	Units
34	_____	Units
35	_____	Units
36	_____	Units
37	_____	Units
38	_____	Units
39	_____	Units
40	_____	Units

Section 3: Operation and maintenance charges will be made on the user unit basis. This charge will be based on budgeted O&M costs for the sewer system

Section 4: The Sewer District shall review, annually, this Local Law and such review shall include the following:

- (a) the sewer charge system to insure a fair and equitable distribution of system costs;
- (b) the total cost of operation and maintenance of treatment works.

Section 5: The Sewer District shall, annually, make necessary revisions to the scale of sewer charges to insure:

- (a) the maintenance of proportional distribution of operating and maintenance costs among users;
- (b) the generation of sufficient revenues to pay the total operating and maintenance costs necessary for the proper operation and maintenance of the system;

- (c) that excess revenues collected from users for the cost of operation and maintenance of the system be attributed to the users and the future rate be adjusted accordingly.

Section 6: The Sewer District Board shall provide an equipment replacement fund for the purpose of replacing system equipment in such an amount as it shall deem necessary.

Section 7: The costs of all extraneous flow treatment shall be distributed among all of the system users in a fair and equitable manner.

Section 8: It shall be the duty of the Superintendent or other designated official to make a survey, annually, or at such times as may be required by the Sewer District Board, to determine whether there is being discharged in the sewer system from any real property, sewage or other wastes which, in the opinion of such Superintendent, contains unduly high concentrations of solids or any other substance adding to the operating costs of the sewer system. Upon the completion of such survey, he shall file with the Sewer District Board, a report of his findings indicating whether additional sewer rent charges should be levied for such sewage or other wastes, and if so, he shall set forth recommended charges for the same. The Sewer District Board is authorized to fix and determine such additional sewer rent charge therefor as shall be equitable in addition to the sewer rents provided for by the preceding paragraphs of this division.

Section 9: All sewer rents shall be due and payable at the office of the Sewer Clerk. Woodhull Street, Forestport, New York, or on such other date or dates as may be determined by the Sewer District Board. In addition to the sewer service charge provided in this division, according to the rate specified herein, *la further charge of ten percent (10%) of the amount so determined shall be added thereto in each case of failure to make payment on or before the date on which the rent for such period is due. and the total thus obtained shall be the sewer rental due each month.*)

Section 10: Bills will be sent out to all owners of real property connected or adjacent to the sewer system and the failure of any owner to receive a bill promptly shall not excuse non-payment of the same, and in the event the owner fails to receive a bill promptly, he shall demand the same at the Town Clerks Office.

Section 11: All sewer rents remaining due and unpaid at the time the annual Town Tax levy is made out shall be included therein pursuant to the Town Law and levied against the real property on which the same has been used, and shall be collected and enforced with and in the same manner and, at the same time, as other Town taxes. The above rates will take effect as determined by resolution of the Sewer District Board.

ARTICLE X

Section I: Any person found to be violating any provision of this Law shall be served by the Sewer District Board with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 2: Any person who shall continue any violation, beyond the time limit provided for in Article X, Section I, shall be guilty of a misdemeanor and on conviction thereof, shall be fined in an amount not exceeding \$250.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 3: Any person violating any of the provisions of this Law shall become liable to the Sewer District for any expense, loss or damage occasioned the Sewer District by reason of such violation.

ARTICLE XI

Section 1: All significant industrial users shall be regulated by industrial sewer use agreement. The industrial sewer use agreement shall be in full effect prior to any discharge by the User.

Section 2: The maximum time period for an industrial sewer use agreement to be in effect shall be five (5) years. At the end of such time, the agreement shall be reviewed and reissued with appropriate modifications as may be necessary.

Section 3: The industrial sewer use agreement terms and conditions may be subject to modification and change by the Sewer District should conditions warrant. Any change in conditions will allow reasonable time for the industrial user to come into compliance with the modification.

Section 4: The industrial sewer use agreement shall not be reassigned or transferred or sold to a new owner, new user, different premises. or a new or changed operation without approval and review by the Sewer District.

Section 5: Should the industrial discharger modify its production and/or process in such manner that the wastewater characteristics of flow is altered, the industrial discharger shall initiate action to revise or modify the industrial sewer use agreement.

Section 6: All new significant industrial users shall submit to the Sewer District an application to enter into an industrial sewer use agreement on a form as supplied by the Sewer District. The application form will require information concerning volume, constituents and characteristics of wastewater. How rates, each product produced by type, amount and rate of production, and description of activities, facilities and plant processes on the premises including all materials processed and types of materials which are or could be discharged. The Sewer District shall implement measures to ensure the confidentiality of information provided by an industrial discharger pursuant to this Law.

Section 7: Significant industrial users shall be furnished and shall permanently post to the industrial users bulletin board, a notice advising employees whom to call in case of an accidental discharge in violation of this Law. Copies of this Law shall be made available to the user's employees.

Section 8: When pretreatment regulations are adopted by USEPA or NYSDEC for any industry, then that industry must immediately conform to the USEPA or NYSDEC timetable for adherence to Federal or State pretreatment requirements and any other applicable requirements promulgated by USEPA or

NYSDLC in accordance with Section 307 of the PL 95-217. Additionally, such industries shall comply with any more stringent standards necessitated by local conditions as determined by the Sewer District.

Section 9: Any person who knowingly makes any false statements, representation, record, report, plan or other documentation filed with the municipality or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Law, shall be punished as a Class B misdemeanor.

Section 10: The Sewer District shall be authorized to issue an order to cease and desist and direct those persons not complying with such prohibitions, limits, requirements or provisions of the Law or the wastewater discharge permit to:

- (a) Comply forthwith; or
- (b) Comply in accordance with a time schedule set forth by the Sewer District; or
- (c) Take appropriate remedial or preventive action in the event of a threatened violation.

Section 11: The Sewer District shall have the authority to revoke any wastewater discharge agreement or terminate or cause to be terminated wastewater service to any premises if a violation of any provision of this Law is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination or pollution as defined in this Law.

ARTICLE XII

Section 1: All ordinances or Laws or parts of ordinances or Laws in conflict herewith are hereby repealed.

Section 2: The invalidity of any section, clause, sentence or provision of this law shall not affect the validity of any other part of this Law which can be given effect without such invalid part or parts.

Section 3: This Local Law shall take precedence over any inconsistent agreements between the Sewer District and users of the sewage treatment system.

ARTICLE XIII

Section 1: This Local Law, after passage, approval/recording and publication, shall take effect upon filing with the Secretary of State pursuant to the provisions of the Municipal Home Rule Law of the State of New York.