

SEWERS

Chapter 43

SEWERS

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[HISTORY: Adopted Attica Village Board 5-19-66.]

Preamble

An ordinance regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system; and providing penalties for violations thereof; in the Village of Attica, County of Wyoming and Genesee, State of New York.

ARTICLE I Definitions

S 43-1. Words defines.

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

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 twenty degrees centigrade (20 C.), expressed in milligrams per liter.

BUILDING DRAIN – Shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet [one and five-tenths (1.5) meters] outside the inner face of the building wall.

BUILDING SEWER – Shall mean the extension from the building drain to the public sewer or other place of disposal.

COMBINED SEWER – Shall mean a sewer receiving both surface runoff and sewage.

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.

INDUSTRIAL WASTES – Shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

NATURAL OUTLET – Shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

PERSON – Shall mean any individual, firm, company, association, society, corporation or group.

PH – Shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

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.

PUBLIC SEWER – Shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

SANITARY SEWER – Shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

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.

SEWAGE TREATMENT PLANT – Shall mean any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS – Shall mean all facilities for collecting, pumping, treating and disposing of sewage.

SEWER – Shall mean a pipe or conduit for carrying sewage.

SHALL – Is mandatory; **MAY** – Is permissive.

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

STORM DRAIN (sometimes termed **STORM SEWER**) – Shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

SUPERINTENDENT – Shall mean the foreman of the Public Works department of the Village of Attica, or his authorized deputy, agent, representative or any other individual given authority to act by the Village Board of Trustees.

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.

WATERCOURSE – Shall mean a channel in which a flow of water occurs, either continuously or intermittently.

VILLAGE – The Village of Attica, Wyoming and Genesee Counties, New York.

ARTICLE II

Use of Public Sewers Required

S 43-2. Objectionable wastes.

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 of Attica, or in any area under the jurisdiction of said village, any human or animal excrement, garbage or other objectionable waste.

S 43-3. Suitable treatment required.

It shall be unlawful to discharge to any natural outlet within the Village of Attica, or in any area under the jurisdiction of said village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

S 43-4. Disposal facilities restricted.

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.

S 43-5. Connection with public sewer required.

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the village and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

ARTICLE III

Private Sewage Disposal

S 43-6. Public sewer not available.

Where a public sanitary sewer is not available, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

S 43-7. Permit

Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit from the Wyoming County Health Department. The application for such permit shall be made on a form furnished by the village, which the applicant shall supplement by any plans , specifications and other information's as are deemed necessary by the Wyoming County Health Department.

S 43-8. Inspection.

A permit for the use of a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Wyoming County Health Department. They shall be allowed to inspect the work at all stages of construction and the applicant for the permit shall notify the Wyoming County Health Department when the work is ready for final inspection, and before any underground portions are covered.

S 43-9. Compliance with all recommendations.

The type, capacities, location and layout of private sewage disposal systems shall comply with all recommendations of the Wyoming County Health Department.

S 43-10. Public sewer available; connection.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, a connection shall be made to the public sewer in compliance with this ordinance, except as hereinafter provided.

S 43-11. Existing private sewage disposal system.

Existing private sewage disposal systems may be used by the owner if approved and currently acceptable to the Wyoming County Health Department.

S 43-12. Operation of private sewage disposal system at owner's expense.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the village.

S 43-13. Additional requirements.

No statement contained in this Article shall be construed to interfere in any manner with any additional requirements that may be imposed by the Department of Public Health, State of New York, and/or the Wyoming County Health Department.

ARTICLE IV
Building Sewers and Connections

S 43-14. Permit required to work on public sewer.

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

S 43-15. Permits.

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

- A. For residential and commercial service.
- B. For service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the village. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of one dollar (\$1.) for a residential or commercial building sewer permit and two dollars (\$2.) for an industrial building sewer permit shall be paid to the village at the time the application is filed.

S 43-16. Installation, connection costs and maintenance. [Amended 6-17-1993 by L.L. No. 1-1993]

- A. All costs and expense incident to the installation and connection from the sewer main to the building shall be borne by the owner. The owner shall reimburse the village for any expenses incurred which will include but not be limited to materials, pipe, glue, stone, fittings and any other apparatus or piece of equipment necessary. The reimbursement will be for the actual expense of those materials but, in any event, the cost shall be a minimum of one hundred dollars (\$100.). The Village of Attica shall install the necessary sewer line from the sewer main to the applicant's property line. It shall be the property owner's responsibility to install a line from the property line to the building in accordance with all applicable sections.
- B. All cost and expense incident to the routine maintenance of the building sewer shall be borne by the property owner. Routine maintenance shall include the periodic cleaning of the building sewer from the building to the sewer main. In the event that routine plugs cannot be cleared, the village shall be responsible to clean or repair only that portion which is on village property, and the property owner shall be required to clean or repair that portion of the sewer line from the property line to the building.

S 43-17. Separate building sewer.

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one (1) building sewer.

S 43-18. Old building sewers.

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 ordinance.

S 43-19. Construction material specifications.

The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the Building and plumbing Code or other applicable rules and regulations of the village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

S 43-20. Gravity flow.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

S 43-21. Connections prohibited.

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.

S 43-22. Connection requirements.

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

S 43-23. Building sewer to be inspected; notice to Superintendent.

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.

S 43-24. Excavations adequately guarded.

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 village.

ARTICLE V
Use of the Public Sewers

S 43-25. Discharge of storm water, surface water, etc., prohibited.

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

S 43-26. Specifically designed sewers. [Amended 10-3-85 by L.L. No. 4-1985]

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer or natural outlet. Discharges to the waters of the state are subject to SPDES (State Pollutant Discharge Elimination System) permits as issued by the New York State Department of Environmental Conservation.

S 43-27. Prohibited wastes.

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

- A. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid, or gas.
- B. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) milligrams per liter as CN in the wastes as discharged to the public sewer.
- C. Any waters or wastes having pH lower than five point five (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works, such as, but not limited to, ashes, cinders,

sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

- E. Any water or waste containing heat in amounts which will inhibit biological activity in the treatment system, but in no case hear in such quantities that the temperature at the treatment plant exceeds forty degrees centigrade (40 C.) [one hundred four degrees Fahrenheit (104 F.)] [**Added 10-3-85 by L.L. No. 4-1985**]

S 43-28. Prohibited substances.

No person shall discharge or cause to be discharged the following describe 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 subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

- A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150 F.) [sixty-five degrees centigrade (65 C.)].
- B. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two degrees Fahrenheit (32 F.) [zero degrees centigrade (0 C.) and sixty-five degrees centigrade (65 C.)].
- C. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Superintendent.
- D. Any waters or wastes containing strong acid iron-pickling wastes or concentrated plating solutions, whether neutralized or not.
- E. [**Amended 10-3-85 by L.L. No. 4-1985**] Any waters or wastes containing a toxic or poisonous substance, a high chlorine demand or suspended solids in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters or the effluent of the village treatment plant. Such toxic substances shall be limited to the concentrations listed hereinafter. If concentrations listed are exceeded, individual establishments will be subject to control in volume and concentration by the Superintendent.

Sanitary Sewers
Limits of Toxic Substances in Sewage Concentration
Limit Milligrams Per Liter Parameter

Parameter	Concentration Limit: Daily Maximum (Milligrams per liter)
Total cadmium	0.69
Total chromium	2.77
Total copper	3.38
Total lead	0.69
Total nickel	3.98
Total zinc	2.61
Total cyanide	1.20
Total silver	0.43

- F. Any waters or wastes containing phenols or other taste- or odor- producing substances in such concentrations exceeding limits which may be established by the Superintendent, as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state of federal regulations.
- H. Any waters or wastes having a pH in excess of none point five (9.5).
- I. Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and wastes and vegetable tanning solutions).
 - (3) Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow or concentration of wastes constituting slugs as defined herein.
- J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

S 43-29. Judgment of Superintendent.

- A. 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 S 43-28 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:
- (1) reject the wastes:
 - (2) require pretreatment to an acceptable condition for discharge to the public sewers:
 - (3) require control over the quantities and rates of discharge: and/or
 - (4) require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of S 43-34 of this Article.
- B. 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.

S 43-30. Grease, oil and sand interceptors.

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.

S 43-31. Preliminary treatment.

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.

S 43-32. Control manhole.

When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

S 43-33. Measurements, tests and analyses.

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

S 43-34. Special agreements and arrangements. [Amended 10-3-85 by L.L. No. 4-1985]

- A. No statement contained in this Article shall be construed as preventing any special agreement between the village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the village for treatment, subject to payment therefore, by the industrial concern. However, no such agreement shall circumvent federal categorical standards as promulgated by the United States Environmental Protection Agency or the national pretreatment standards.
- B. The village may suspend the wastewater treatment service when such suspension is necessary, in the opinion of the village, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or to the environment, causes interference to the sewage treatment process or causes the village to violate any condition of its SPDES permit.
- C. When pretreatment regulations are adopted by the United States Environmental Protection Agency or the New York State Department of Environmental Conservation for any industry, then that industry must immediately conform to the United States Environmental Protection Agency or the New York State Department of Environmental Conservation timetable for adherence to federal or state pretreatment requirements and any other applicable requirements promulgated by the United States Environmental Protection Agency or New York State Department of Environmental Conservation in accordance with Section 307 of the Clean Water Act. Additionally, such industries shall comply with any more stringent standards necessitated by local conditions as determined by the village.
- D. The village may inspect and copy any industrial discharge records which are required to be kept on the industrial premises.

ARTICLE VI
Protection from Damage

S 43-35. Damaging and tampering with structures and equipment. [Amended 10-3-85 by L.L. No. 4-1985]

No person shall maliciously, willfully or negligently break, damage, destroy uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VII
Powers and Authority of Inspectors

S 43-36. Authorized persons to enter all properties.

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

S 43-37. Liability.

While performing the necessary work on private properties referred to in Article VII, S 43-36, above, the Superintendent or duly authorized employees of the village shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the village employees, and the village shall indemnify the company against loss or damage to its property by village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, S 43-32.

S 43-38. Negotiated easement. [Amended 10-3-85 by L.L. No. 4-1985]

The Superintendent and other duly authorized employees of the village, together with representatives of the United States Environmental Protection Agency and the New York State Department of Environmental Conservation, bearing proper credentials and identification shall be permitted to enter all private properties through which the village 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 VIII Penalties

S 43-39. Violation.

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

S 43-40. Penalties. [Amended 10-3-85 by L.L. No. 4-1985]

Any person who shall continue any violation beyond the time limit provided for in Article VIII, S 43-39, may, upon conviction, be punished by a fine not exceeding three hundred dollars (\$300.) or by imprisonment not to exceed thirty (30) days in the Wyoming County Jail, or by both such fine and imprisonment, for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

S 43-41. Liable for expenses.

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

ARTICLE IX Validity

S 43-42. Repeal of inconsistent ordinances.

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

S 43-43. Separability.

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

ARTICLE X Ordinance in Force

S 43-44. Effective date.

This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

ARTICLE XI

Inspections of sanitary discharge mechanisms is hereby enacted as follow:

S 45-45 Definitions.

Sanitary sewer discharge mechanisms shall be interpreted as being storm sewer(s) and drainage facilities (e.g. receivers, culverts, etc.), sump pump(s), roof drain(s), roof downspouts(s), footing drains, yard and area drain(s), and other facilities which may convey illegal waters to the public sanitary sewer collection system.

S 43-46 Inspection of sanitary discharge mechanisms upon transfer of property.

No person(s) shall transfer title to another person(s) nor accept from any other person(s) the transfer of title to any structure or parcel of land upon which a structure is located unless and until the Superintendent shall have inspected the sanitary sewer discharge mechanisms on said structure or parcel of land, and a certificate of compliance be issued stating the same is found to be in compliance with the provisions of this chapter restricting the discharge of unpolluted waters into the public sanitary sewer collection system. This section shall not apply to the Federal Bankruptcy Act, transfers for which consideration is \$1.00 and no more and transfers in connection with a partition.

S 43-47 Waiver of certificate of compliance for inspection of sanitary sewer discharge mechanisms upon transfer of property.

- A. The Superintendent or other authorized agent of the Village may temporarily waive the requirement of a certificate of compliance as a prerequisite to transfer to title, as specified in Sec 43-46 provided the person(s) acquiring title:

Shall have filed with the Village Board a signed form of agreement issued by the Village Board or other authorized agent of the Village to correct deficiencies listed on the signed inspection form/invoice of violation within the period set forth in the form of agreement, and

Shall have provided a sum of \$500.00 which shall be held in escrow by the Village and which sum shall be returned to the person(s) who deposited the money if the corrections are completed within the time specified in the form of the agreement, but which sum shall be forfeited to the Village if corrections are not completed within the time specified in the form of the agreement.

- B. In the event that corrections are not completed within the time specified in the written form of agreement, the temporary waiver shall immediately expire and the person(s) acquiring title shall be subject to the penalties prescribed in sec 43-46.

S 43-48 Penalties for offenses.

Any person(s) who violate(s) the provisions of Sec 43-46, upon conviction thereof in a court of competent jurisdiction may be punished by a fine of not more than \$250.00, and each day on which there is a failure to comply shall be and is hereby declared to be a distinct and separate offense and punishable as such.

S 43-49 Effective date.

This local law shall take effect upon the filing by the Secretary of State.