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APPENDIX A --- RULES AND REGULATIONS

VILLAGE OF RUSHVILLE WASTEWATER COLLECTION AND TREATMENT SYSTEM

SUBDIVISION A.

"SEWER RENTS" shall be defined as a scale of annual charges established and imposed by the Village for the use of the sewer system or any part or parts thereof.

SUBDIVISION B.

Such charges may be based upon either:

- 1.) The consumption of water on the premises connected with and served by the sewer system or such part or parts thereof.
- 2.) The number and kind of plumbing fixtures on the premises connected with and served by the sewer system or such part or parts thereof.
- 3.) The number of persons served on the premises connected with and served by the sewer system or set part or parts thereof.
- 4.) The volume and character of sewage, industrial waste and other wastes discharged into the sewer system or such part or parts thereof; or,
- 5.) Upon any other equitable basis determined by the Board of Sewer Commissioners, including but not limited to any combination of the foregoing.

SUBDIVISION C.

Sewer rents shall be charged in accordance with the within rules and regulations as a means of producing revenues sufficient to pay for the cost of construction, operation and maintenance of the Village of Rushville Wastewater Collection and Treatment System, and in addition thereto, the cost of inspection of said system and any entries and/or connections thereto.

SUBDIVISION D.

Sewer rents shall constitute a lien upon the real property served by the sewer system or such part or parts thereof for which sewer rents shall have been established and imposed. The lien shall be prior and superior to every other lien or claim except the lien of an existing tax, assessment or other lawful charge imposed by or for the State or a political subdivision or district thereof.

SUBDIVISION E.

The Village Board of the Village of Rushville may bring and maintain an action

- a.) as upon contract for sewer rents in arrears, including penalties and interest, or
- b.) to foreclose liens for such sewer rents.

As an alternative to the maintenance of any such action, the Village Board, or the Board of Sewer Commissioners, may annually cause a statement to be prepared setting forth the amount of each lien for sewer rents in arrears, the real property affected thereby and the name of the person and whose name such real property is assessed. Such statement shall be presented to the board or body empowered to levy Village taxes, as the case may be, on or before a date to be specified by such board or body. Such board or body shall levy the amounts contained in such statement against the real property liable at the same time and in the same manner as Village taxes, as the case may be, in such amounts shall be set forth in a separate column in the annual village tax roll. The amounts so levied shall be collected and enforced in the same manner and at the same time as may be provided by law for the collection and enforcement of Village taxes.

SUBDIVISION E.

"PENALTY RATES FOR BILLS PAST DUE"

There shall be charged a penalty and past due sewer rents at the rate of ten percent (10%) thereof thereafter until paid or included in the annual Village tax levy.

SUBDIVISION F.

"SEWER RENT FUND"

Revenues derived from sewer rents, including penalties, shall be credited to a special fund, to be known as the sewer rent fund, to be established by the Village of Rushville. Monies in such fund shall be used in the following order:

1.) For the payment of the costs of operation, maintenance and repairs of the sewer system or such part or parts thereof for which sewer rents have been established and imposed.

2.) For the payment of the interest on and amortization of, or payment of, indebtedness which has been or shall be incurred for the construction of the sewer system or such part or parts thereof for which sewer rents have been established and imposed (other than indebtedness, and the interest thereon, which is to be paid in the first instance from assessments upon benefitted real property).

3.) For the construction of sewage treatment and disposal works with necessary appurtenances including pumping stations, or for the extension, enlargement, or replacement of, or additions to, such sewer systems, or part or parts thereof.

Such revenues from sewer rents shall not be used:

1.) To finance the cost of any extension of any part of a sewer system (other than any sewage treatment and disposal works with necessary appurtenances including pumping stations) to serve unsewered areas if such part has been constructed wholly or partly at the expense of real property especially benefitted, or

2.) For the payment of the interest on and the amortization of, or payment of, indebtedness, which is to be paid in the first instance from assessments upon benefitted real property.

SUBDIVISION F.

"POWER TO IMPOSE OTHER CHARGES"

The establishment and imposition of sewer rents shall not prevent the use of other revenues of the Village for the payment of a part of the costs, for any fiscal year of operation, maintenance and repairs of the sewer system or any part or parts thereof for which the sewer rents have been established and imposed or for the payment of interest on an amortization of, or payment of, indebtedness therefor.

SUBDIVISION G.

"WHEN BILLS PAYABLE"

Bills shall become due and payable

SUBDIVISION H.

"FORMULA FOR THE COMPUTATION OF SEWER RENTS"

Sewer rents shall be calculated in accordance with the attached schedule of unit charges.

SUBDIVISION I.

"PERMIT FEES"

The following permit fees shall be in effect:

- a. Inspection fee, domestic waste service \$10.00;
- b. Inspection fee, all other waste contributors \$100.00;
- c. Entry fee, domestic waste service \$10.00;
- d. Entry fee, all other waste contributors \$100.00;

SUBDIVISION J.

The charges and fees set forth herein may be amended from time to time by the Board of Trustees by resolution.

VILLAGE OF RUSHVILLE, N. Y. 14544
INCORPORATED 1876

UNIT CHARGES

1. A single family dwelling shall be charged one unit
2. A multi-family dwelling will be charged .8 units for each separate living quarter.
3. Rooming House shall be charged 1-3 units per bedroom with a minimum charge of one unit per building without regard as to whether the same are occupied on a seasonal or full year basis. A rooming house is herein defined as a building occupied or designed to be occupied as a rental unit for (3) three or more unrelated people.
4. Gas Station shall be charged one unit.
5. Restaurant, Bar-Grill, Cocktail Lounge shall be charged two units with one unit charge for each apartment or separate living quarter contained in or on such premises.
6. Snack Shop shall be charged one unit with one additional unit for each apartment or separate living quarter contained in or on such premises.
7. Theatres and Drive-In Theatres shall be charged three units without regard as to whether the same are occupied on a seasonal or full year basis.
8. Banks shall be charged one unit for each 8 employees.
9. Car Wash shall be charged two units per bay.
10. Combination Home and Business Dwelling. Where a public service business is being conducted from a home owned property, (i.e. beauty shop, realtors, etc.) a charge of one unit (1) for the home and a $\frac{1}{2}$ unit for the business will be made without regard as to whether the same are occupied on a seasonal or full time basis.
11. Church - Premises designed or occupied to be utilized for religious purposes (church, parsonage) will be charged one unit for each seweried building, without regard as to whether the same are occupied on a seasonal or full year basis.
12. Mobil Camp Ground Sites. Premises designed or utilized as a mobil camping ground site will be charged one unit per every 5 camper stands plus 3 units for every disposal site utilized by the camp ground site to service the transient vehicle, without regard as to whether the same are occupied on a seasonal or full year basis.

13. Camps - Premises owned by religious, fraternal, non-profit organizations designed or occupied as a camp site for recreational or educational purposes will be charged one unit for each seweried building, without regard as to whether the same are occupied on a seasonal or full time basis.
14. Public Park - Premises designed or utilized as a public park shall be charged one unit for each male facility and one unit for each female facility, without regard as to whether the same are open on a seasonal or full time basis.
15. Repair Facility - Premises occupied or designed to be occupied as a motor vehicle and-or boat marina repair service or repainting facility or garage, shall be charged $1\frac{1}{2}$ units per the first eight employees, plus one unit per each additional eight employees or fraction thereof, without regard as to whether the same are occupied on a seasonal or full year basis.
16. Office Buildings-Business Agencies - Premises occupied or designed to be occupied as a location of a business office or agency shall be charged $1\frac{1}{2}$ units per first eight employees, plus one unit per each additional eight employees or fraction thereof, with 1 unit for the first apartment and .8 unit charge for each apartment over two.
17. Stores shall be charged 1 unit per first eight employees plus 1 unit per each additional eight employees or fraction thereof, without regard as to whether the same are occupied on a seasonal or full year basis.
18. Laundromat - Premises occupied or designed to be occupied as a laundromat, whether self-service or otherwise, shall be charged $1\frac{1}{2}$ units for each two washing machines, without regard as to whether the same are occupied on a seasonal or full year basis.
19. Plaza - Premises occupied or designed to be occupied as a shopping plaza will be charged 1 unit per store, plus any additional units so determined within Article III of this local law, without regard to whether the same are occupied on a seasonal or full year basis.
20. Mobil Home Park - A mobile home park shall be charged one unit for each approved mobile home stand, without regard as to whether each space is actually occupied by a mobile home on a seasonal or full year basis.
21. Education Facilities - Premises occupied or designed to be occupied as an educational facility shall be charged one unit per 20 full-time student-faculty-support personnel and full-time equivalent population, without regard as to whether the same are occupied on a seasonal or full year basis.

22. Industrial - Warehouse - Premises designed or occupied as an industrial facility, or warehouse, shall be charged one unit for each 15 employees or fraction thereof, plus an additional industrial wastewater charge so determined by the Environmental Conservation Agency, without regard as to whether the same are occupied on a seasonal or full year basis. The industrial charge is to be negotiated subject to E.C.A. approval.
23. Recreational Facilities - Bowling Alley, Enclosed Tennis Court, Hand Ball Type Court, all other enclosed sports activities - All recreational facilities occupied or designed to be occupied as listed above will be charged a minimum of two units unless otherwise determined according to schedule; without regard to whether the same are occupied on a seasonal or full year basis.
24. Non-Profit Public Services - Premises designed or occupied to be utilized for a non-profit public service (Firehouse, Ambulance Center) will be charged one unit for each sewered building, without regard as to whether the same are occupied on a seasonal or full time basis.
25. Vacant Lot is 0 units until something is placed on it.
26. Nursing Home will be charged one unit per eight possible residents plus one unit for the first eight employees and one unit per each additional eight employees or fraction thereof, without regard as to whether the same are occupied on a seasonal or full year basis.
27. Post Office will be charged one unit for each eight employees.
28. Lodge & Fraternal Organizations will be charged one unit and $\frac{1}{2}$ unit for each additional office.
29. Funeral Home will be charged one unit and one unit for each apartment.
30. Doctor's Office and Clinic will be charged one unit and $\frac{1}{2}$ unit for each additional office.

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VILLAGE OF RUSHVILLE

Local Law No. 1,

A Local Law Providing For Sewer Use In The Village of Rushville

Be it enacted by the Village Board of the Village of Rushville.

SECTION 1. TITLE

This local law shall be known as the "Sewer Use Local Law."

SECTION 2. PURPOSE

It is the purpose of this local law to protect the sewage collection and treatment facilities, to prevent danger to life or damage to property, to promote the health, safety, and general welfare, to prohibit the introduction of storm, surface, or sub-surface waters into the sanitary sewers, to provide background for the fair distribution of treatment costs, to provide for the collection of the same, to form a basis and policy for controlling of wastes accepted into the Village of Rushville Wastewater Collection and Treatment System, and to provide for the administration of said System.

SECTION 3. DEFINITION OF TERMS

Unless the context specifically indicates otherwise, the meaning of terms used in this local law will be as follows:

- 1.) SEWER SERVICE AREA shall mean the Village of Rushville (or, any sanitary sewer district or districts and their extension or extensions now existing or subsequently created by the Village Board of the Village of Rushville.
- 2.) SEWER COMMISSION shall mean the duly elected or appointed governing body of the Village of Rushville.

3.) SUPERINTENDENT shall mean the Sewer Superintendent appointed by the Village of Rushville.

4.) PERSON shall mean any individual, firm, company, association, society, corporation, or group.

5.) OWNER shall mean any person in title to or having an interest in real property in any Sewer Service Area, and shall include "waste contributor".

6.) SEWAGE WORKS shall mean all facilities for collecting, transmission pumping, treating, and disposing of sewage.

7.) PUBLIC SEWER shall mean a sewer which is controlled by a Sewer Commission.

8.) SANITARY SEWER shall mean a septic tank for the separation of pipe or conduit which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

9.) STORM SEWER OR STORM DRAIN shall mean a sewer which carries storm and surface water drainage and/or other unpolluted waters, but excludes sanitary sewage, commercial-industrial and domestic wastes.

10.) NATURAL OUTLET shall mean any outlet into a water course, pond, ditch, lake or other body of surface or ground water.

11.) WATER COURSE shall mean a channel in which a flow of water occurs either continuously or intermittently.

12.) SEWAGE TREATMENT PLANT shall mean any arrangement of devices and structures used for treating sewage.

13.) BUILDING DRAIN shall mean that part of the lowest horizontal piping of a drain system carrying sewage which receives discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building's approved septic tank.

14.) BUILDING SEWER (SOMETIMES CALLED HOUSE LATERAL) shall mean the extension from the building, an approved septic tank, to the public sewer or other place of disposal.

15.) SEWAGE shall mean the water carried wastes from residences, commercial buildings, institutions, and industrial establishments and other places.

16.) DOMESTIC WASTES shall mean water borne human or animal excreta or body wastes and normal culinary, laundry, and washing wastes originating in residences.

17.) COMMERCIAL - INDUSTRIAL WASTES shall mean any and all other wastes not being domestic wastes but not limited to the wastes from commercial, laboratory and industrial processes, wastes from domestic operations or certain trade operations such as sand grit, waste petroleum products from automotive service stations, and the like, animal wastes, straw and related items from dairy or other farming operations.

18.) GARBAGE shall mean solid waste from the preparation, cooking, and dispensing of food and from handling, storage, and sale of produce.

19.) PROPERLY SHREDDED GARBAGE shall mean the waste from the preparation, cooking and dispensing of food that has 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-quarter inch in any dimension.

20.) B.O.D. (DENOTING BIOCHEMICAL OXYGEN DEMAND) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C., expressed in milligrams per liter.

21.) pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter solution.

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 filterings.

23.) SHALL is mandatory; MAY is permissive.

24.) VILLAGE shall mean the Village of Rushville and shall, where appropriate, include the "Sewer Service Area".

25.) WASTE CONTRIBUTOR shall mean a person or owner utilizing the system in any manner

26.) SYSTEM shall mean sewage works.

27.) APPROVED SEPTIC TANK shall mean a concrete tank properly designed and constructed for the separation of solids from the liquid portion of the sewage. The design and installation of which shall be approved by the Superintendent.

28.) 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 chemical, physical or biological processes, process changes, or by other means, except as prohibited by 40 CFR 403.6 General Pretreatment Regulations for Existing and New Sources of Pollution as amended.

SECTION 4. REQUIRED USE OF PUBLIC SEWERS

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

2.) It shall be unlawful to discharge to any natural outlet within the Village 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 local law.

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.

4.) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated

within the Sewer Service Area and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer is hereby required at his expense to install suitable toilet facilities including a septic tank of 1000 gallon capacity (minimum) therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this local law, within 60 days after the date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

SECTION 5. PRIVATE SEWAGE DISPOSAL

1. Where a public sanitary sewer is not available, under the provisions of Section 4, Paragraph 4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Section.

2. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Sewer Commission. The application for such permit shall be made on a form furnished by the Commission, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Superintendent. A permit and inspection fee as set forth in Appendix A, shall be paid to the Sewer Commission at the time the application is filed.

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 any underground portions are covered. The inspection shall be made within 24 hours of the receipt of notice by the Sewer Commission.

4. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Environmental Conservation of the State of New York. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 7,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

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

6. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

7. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 4, Paragraph 4, a direct connection shall be made to the public sewer in compliance with this local law, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned, cleaned, and filled with clean bank-run gravel or other suitable material.

8. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days.

9. Major industrial and commercial owners shall connect their domestic wastes to available public sewers, as provided in Section 4. Such owners may apply to the Sewer Commission for a permit, renewable

bi-annually to connect their industrial - commercial wastes to a private sewage disposal system - providing the design, construction, and operation of the private disposal system is approved by the New York State Department of Environmental Conservation. A permit and inspection fee of one hundred dollars, (\$100.00), shall be paid to the Sewer Commission at the time application is initially filed.

SECTION 6. BUILDING SEWERS AND CONNECTIONS

1.) 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 from the superintendent.

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 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 as set forth in Appendix A for a residential or commercial building sewer permit or for an industrial building sewer permit shall be paid to the village at the time the application is filed.

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

4.) 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 front building may be extended to the rear building and the whole consideration as one building sewer, but the Village does not and will not assure any obligations or responsibility for damage caused by or resulting in any such single connection aforementioned.

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 ordinance.

6.) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, approved septic tank, 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 the 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.

7.) 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 approved septic tank.

8.) No person shall make connection of roof downspouts, 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 unless such connection is approved by the superintendent for purposes of disposal of polluted surface drainage.

9.) The connection of the building septic tank 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 and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

10.) 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 and testing shall be made under the supervision of the superintendent or his representative.

11.) 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.

SECTION 7. USE OF THE PUBLIC SEWERS

1.) No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water into the sewer system, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sewer system by written permission of the superintendent.

2.) Stormwater other than that exempted under Section 1, Article V, and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or storm sewers or to a natural outlet approved by the superintendent and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the superintendent, to a storm sewer, combined sewer, or natural outlet.

3.) Every user of a public sewer system who has any storm, surface or foundation drainage, or any wastes from a sump pump, already entering or part of any existing private sewage system, which is to be connected to a public sewer system shall disconnect such pipes, spouts, and/or drains, so as to preclude all such waters from entering the public sewer system and shall thereafter provide other means to remove such waters away from their buildings.

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

(a) Raw sewage which has not passed through a septic tank or other acceptable pre-treatment process which will remove settleable solids to the satisfaction of the Superintendent.

(b) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(c) Any waters 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 waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant. No person shall discharge or cause to be discharged 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 sewage treatment plant. Such toxic substances shall be limited to the average concentrations listed hereinafter in the sewage as it arrives at the treatment plant and at no time shall the hourly concentration at the sewage treatment plant exceed three times the average concentration. For any waste entering the Treatment Plant and containing a combination of chromium (hexavalent), copper, nickel and zinc the total concentration of these substances shall not exceed 10 ppm. If concentrations listed are exceeded, individual establishments will be subject to control in volume and concentration by the Village Engineer.

SANITARY SEWERS

Limits of Toxic Substance in Sewage Concentration Limit
Miligrams Per Liter Parameter

Arsenic and compounds of Arsenic expressed as (As)	0.5 mg/l.
Barium (Ba)	2.0 mg/l.
Cadmium (Cd)	3.0 mg/l.
Chromium, hexavalent (Cr6+)	1.0 mg/l.
Dissolved Copper (Cu)	1.0 mg/l.
Cyanide, Total	1.0 mg/l.
Cyanide, Free	0.1 mg/l.
Formaldehyde as HCHO vapor	5.0 mg/l.
Lead (Pb)	1.0 mg/l.
Nickel (Ni)	3.0 mg/l.
Selenium (se)	2.0 mg/l.
Soluble Silver as Ag	1.0 mg/l.
Zinc (Zn)	5.0 mg/l.
Soluble Manganese and/or Iron	5.0 mg/l.

(d) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.

(e) Solid or viscous substance in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrail and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

5.) The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which

will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The superintendent may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the superintendent will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the superintendent are as follows:

- (a) Wastewater having a temperature higher than 150° Fahrenheit (65° Celsius).
- (b) Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
- (c) Wastewater from industrial plants containing floatable oils, fat, or grease.
- (d) Any garbage discharged directly to the public sewer. All garbage shall be prevented from entering the sewer system by appropriate screening devices, settling tanks or other methods acceptable to the superintendent.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that such material

received in the composite wastewater at the wastewater treatment works exceeds the limits established by the superintendent for such materials.

(f) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the superintendent.

(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) Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.

(i) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(j) Any water or wastes which, by interact¹⁰⁷ with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

6.) 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 Subdiv. 4 of this Section, and which in the judgment of the superintendent may have a deleterious effect upon the wastewater facilities, 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 of discharge, and/or,

(d) Require payment to cover 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.

When considering the above alternatives, the superintendent shall give consideration to the economic impact of each alternative on the discharger. 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.

7.) 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 floatable grease in excessive amounts, as specified in Section 4 (c), 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. In the maintaining of these interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the superintendent. Any removal and hauling of the collected materials not performed by owners' personnel must be performed by currently licensed waste disposal firms.

8.) Where pretreatment or flowequalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

9.) When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer

to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the superintendent. The structure 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.

10.) The superintendent may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:

- (1) Wastewaters discharge peak rate and volume over a specified time period.
- (2) Chemical analyses of wastewaters.
- (3) Information on raw materials, processes, and products affecting wastewater volume and quality.
- (4) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- (5) A plot plan of sewers of user's property showing sewer and pretreatment facility location.
- (6) Details of wastewater pretreatment facilities.
- (7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

11.) 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. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the superintendent.

12.) No statement contained in this article shall be construed as preventing any special agreement or arrangement between the village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the village for treatment.

SECTION 8 REPAIR AND MAINTENANCE WORK: DAMAGE TO WASTEWATER FACILITIES

1.) Any repair, cleaning or maintenance work in connection with sewer pipes, septic tanks and drains connected directly or indirectly to any sanitary or storm sewer system or storm drain shall be performed in accordance with the specifications and under the supervision and inspection of the Sewer Commission.

2.) (a) For work performed on sewers, pipes, septic tanks, laterals or drains, which are not a part of a sanitary sewer or storm sewer system at the direction or under the supervision of the Sewer Commission for the particular or special benefit of any individual parcel or portion of real property a charge is hereby established in an amount equal to the actual cost thereof to the Commission.

(b) The Commission shall annually assess against the individual parcel of land the amount of any such charges remaining unpaid on October 1 and such charges shall be added to the tax roll and collected in the same manner and at the same time as the other taxes are assessed, levied and collected pursuant to statute.

3.) 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 wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

SECTION 9 POWERS AND AUTHORITY OF INSPECTORS

1.) The superintendent, other duly authorized employees of the Village and representatives of the United States Environmental Protection Agency and New York State Department of Environmental Conservation bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, cleaning and testing pertinent to discharge to the community system in accordance with the provisions of this ordinance.

2.) The superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

3.) While performing the necessary work on private properties referred to in Section 9, Subdivision 1 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 operations, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8. This provision shall not relieve a claimant from compliance with Article IV of the General Municipal Law.

4.) The superintendent and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the village holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, cleaning and maintenance of any portion of the wastewater facilities 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 easement pertaining to the private property involved.

SECTION 10. SEWER RENTS

1.) Sewer rents or charges shall be assessed as part of the administration and operation of this local law and the operation and maintenance of the Village of Rushville Waste water Collection and Treatment System.

2.) The Village Board shall establish rules and regulations and a schedule of rents or charges and a procedure for their collection. Such schedule shall be available for inspection at the village offices during business hours. The rules and regulations and schedule of rents or charges may be altered or amended by resolution duly adopted by the Village Board.

SECTION 11. ENFORCEMENT, REMEDIES AND PENALTIES

1.) Any permit issued pursuant to this local law, shall be subject to cancellation after a hearing, in the event of a finding by the Sewer Commission at such hearing that the user or permittee of the sewerage system has violated any of the provisions of this local law. Such hearing shall take place on ten days written notice to the permittee or user. Upon any cancellation provided for in this paragraph or otherwise in this section, the Sewer Commission may terminate the use of the sewer by severing the connection to the sewerage system.

2.) Any person violating any provision of this local law or any lawful order, notice, directive, permit or certificate made or issued hereunder shall be guilty of a violation and may be punished by a fine of not more than \$100 or by imprisonment not exceeding one year. Each week's continued violation shall constitute a separate additional violation.

3.) In addition to the powers and authorities set forth in Section 9

hereof, such superintendent or other duly authorized employees and representations shall be authorized and empowered to issue appearance tickets pursuant to Section 150.20 of the New York State Criminal Procedure Law.

SECTION 12. ABATEMENT OF VIOLATIONS

1.) Appropriate actions and proceedings in law or in equity may be taken in the name of the Village of Rushville to prevent violation of any provision of this local law or of any lawful order, notice, directive, permit or certificate. These remedies shall be in addition to penalties otherwise prescribed by law.

SECTION 13. VALIDITY

1.) If any clause, sentence, subdivision, paragraph, section or part of this local law be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

2.) In the event that the provisions of this local law are inconsistent with the provisions of any local law of the Village heretofore adopted, the provisions of this local law shall be applicable and shall supersede such inconsistent prior provision. However, in such event only the prior provisions inconsistent with any provision of this local law shall be deemed superseded and all other provisions in any such heretofore adopted local law not inconsistent with the provisions of this local law shall remain in full force and effect.

SECTION 14. EFFECTIVE DATE

1. This local law shall take effect immediately.