

Chapter 121

SEWERS

[HISTORY: Adopted by the Town Board of the Town of Skaneateles 4-20-1987 by L.L. No. 1-1987. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 40.

Water — See Ch. 146.

§ 121-1. Title; applicability; purpose.

- A. This chapter shall be known as the "Uniform Sewer District Regulations of the Town of Skaneateles 1987."
- B. Areas covered.
 - (1) This chapter shall be effective in all areas of the Town now being serviced by Town sewers.
 - (2) This chapter shall take effect in areas of the Town not presently serviced by Town sewers when Town sewer service is installed and available.
 - (3) All dry sewers and building drains installed in anticipation of Town sewers shall be installed in compliance with this chapter.
- C. The purpose of this chapter is to promote the public health, safety, aesthetic and general welfare of the citizens of the Town of Skaneateles. This chapter is also intended to provide legislative enactments required to fulfill state and federal regulations and to provide for administration and enforcement of this chapter.

§ 121-2. Definitions; word usage.

- A. As used in this chapter, the following terms shall have the meanings indicated:

BOD — Biochemical oxygen demand, or 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.

COLLECTION SEWER — A sewer whose primary purpose is to collect wastewater from sewer laterals.

COMMERCIAL USER — A user engaged in the purchase or sale of goods or in the transaction of business or who otherwise renders a service, including the operation of an eating establishment and motel.

DISTRICT — A sewer district of the Town.

EASEMENT — A legal right less than fee simple for the use of land owned by others.

GARBAGE — Solid waste from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

INDUSTRIAL USER — A manufacturing or processing facility which includes, as a business, the assembly or manufacture of a material or product for profit, including but not limited to such industries as agriculture, forestry, fishing, mining, manufacturing, transportation, communications, electric, gas and sanitary services. Also included are all users identified in the Federal Standard Industrial Classification Manual 1972, as amended to the effective date of this chapter. "Industrial user" may be treated as a commercial user under this chapter if it is determined by the Town that the industry will introduce primarily segregated sanitary sewage.

INDUSTRIAL WASTES — The liquid waste from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

INFILTRATION — Water unintentionally entering the public sewer system, including sanitary building drains and lateral sewers, from the ground through such means as defective pipes, pipe joints, connections or manholes. "Infiltration" does not include inflow.

INFLOW — Water discharged into a public sewer system from such sources as roof leaders; cellar, yard and area drains; foundation drains; unpolluted cooling water discharges; drains from springs and swampy areas; manhole covers; cross-connections from storm sewers or combined storm and sanitary sewers; catch basins; stormwater; surface and subsurface runoff; street wash waters; or drainage. "Inflow" does not include infiltration.

LATERAL SEWER, SEWER LATERAL or LATERAL — The extension from a building to a public sewer or other place of disposal which conveys only sanitary, commercial or industrial sewage.

NATURAL OUTLET — Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

PERSON — Any individual, firm, company, association, society, corporation or group.

pH — The term used to express the intensity of the acid or base condition of a solution determined by the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PRETREATMENT — Treatment of industrial sewage from privately owned industrial sources by the generator of that source prior to introduction of the waste effluent into a public sewer.

PRIVATE SEWAGE DISPOSAL SYSTEM — A sewage disposal system not owned and operated by the Town.

PROPERTY ACCESSIBLE TO SEWERS — Property abutting a street, road, right-of-way or easement serviced by public sewers or within 100 feet of public sewers.

PUBLIC SEWER (also TOWN SEWER) — A sewer owned and controlled by a Town sewer district.

SANITARY SEWER — A sewer which carries only sanitary wastewaters from residences, commercial users, industrial plants and institutions, and to which storm-, surface and ground water is not intentionally admitted.

SEWAGE — A combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, including polluted cooling water and unintentionally admitted infiltration and inflow.

- (1) **SANITARY SEWAGE** — The combination of liquid and water-carried wastes discharged from a flush toilet, bath, sink, lavatory, dishwashing or laundry machine or water-carried waste from any other domestic fixture, equipment or machine.
- (2) **INDUSTRIAL SEWAGE** — A combination of liquid and water-carried wastes discharged from an industrial establishment or resulting from any trade or process carried on in that establishment and shall include wastes from pretreatment facilities and polluted cooling water.
- (3) **COMBINED SEWAGE** — Wastes, including sanitary sewage, industrial sewage, stormwater, infiltration and inflow, carried into the sewers.

SEWER — A pipe or conduit for carrying sewage.

SEWERAGE — All facilities for the collection, pumping, treating and disposing of sewage.

SEWER DEPARTMENT — The department or organization established by the Town to operate and maintain sewerage of the district.

SEWER SUPERINTENDENT — The Sewer Superintendent of the Town designated by the Town Board or such deputy or other person as may be designated by resolution of the Town Board to perform the duties of the Sewer Superintendent or, if none is expressly designated, the Zoning Officer of the Town.

SHREDDED GARBAGE — Garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in lateral sewers and public sewers, with no particle greater than 1/2 inch in any dimension.

SLUG — Any discharge of water or sewage which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 15 minutes more than five times the allowable average twenty-four-hour concentration of flows during a normal day, which adversely affects the sewerage system.

STORM DRAIN — A sewer that carries only stormwater, surface runoff, street wash and drainage and to which sanitary or industrial wastes are not intentionally admitted, and is also known as a "storm sewer."

SUSPENDED SOLIDS — 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.

TOWN — The Town of Skaneateles, Onondaga County, New York.

TOWN BOARD — The Town Board of the Town of Skaneateles.

TOWN SEWER (also PUBLIC SEWER) — A sewer owned and controlled by a Town sewer district.

USER PROPERTY — Property for which there is a connection to a public sewer.

WASTEWATER TREATMENT PLANT — The wastewater treatment plant of the Village of Skaneateles which receives sewage from Town sewer districts.

WATERCOURSE — A natural or artificial channel in which a flow of water occurs, either continuously or intermittently.

B. Word usage. "Shall" is mandatory; "may" is permissive.

§ 121-3. (Reserved)

§ 121-4. (Reserved)

§ 121-5. Use of public sewers required.

- A. It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner on public or private property within the Town or upon any area under the jurisdiction of the Town any human or animal excrement, garbage or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the Town, or upon any area under the jurisdiction of the Town, any sewage or polluted waters.
- C. Except as provided in this chapter, 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.
- D. The owner of any house, building or property used for human occupancy, employment, recreation or other purposes, situated within the Town and constituting property accessible to sewers, shall at his expense install suitable toilet facilities therein and connect such facilities directly to the public sewer in accordance with this chapter.
- E. The owner of any house, building or property used for human occupancy, employment, recreation or other purposes, situated within the Town and not presently constituting property accessible to sewers, shall, when sewers become available and the property becomes property accessible to sewers, connect to the public sewer, at the owner's expense, in accordance with the provisions of this chapter. Such connection shall be made within 90 days from the date of official notice to do so. Where this time limit imposes an unreasonable hardship, the Town Board may, for good cause shown, extend said period up to one year, except in cases where the existing private sewage disposal system is inadequate, inoperative or is causing pollution, as determined by the Town Board.

§ 121-6. Private sewage disposal.

- A. Where a public sewer is not available, the sewer lateral from a building shall be connected to a private sewage disposal system.
- B. All private sewage disposal systems shall conform to regulations of the Onondaga County Sanitary Code, the Town Code and applicable state and county codes, rules and regulations.
- C. When a public sewer becomes available to property served by a private sewage treatment system, a direct connection shall be made to the public sewer in compliance with this chapter and any private sewage treatment facility shall be disconnected, emptied and filled or otherwise suitably secured.

§ 121-7. Limitations on use of public sewers.

- A. No person shall discharge or cause or permit to be discharged any stormwater, surface water, groundwater, roof, runoff, subsurface drainage, uncontaminated cooling water, swimming pool discharge or unpolluted industrial sewage to any sanitary sewer.
- B. Stormwater and all other unpolluted drainage may be discharged to such sewers or drains as are specifically designated as storm sewers or combined sewers, or to a natural outlet approved by the Sewer Superintendent. Industrial cooling water or unpolluted water may be discharged to a storm sewer, combined sewer or natural outlet, upon approval of the Sewer Superintendent.
- C. No person shall discharge, cause or permit to be discharged any of the following described waters or wastes to public sewers:
 - (1) Gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
 - (2) 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 sewerage or constituting a hazard in the receiving waters of the wastewater treatment plant.
 - (3) Any waters or wastes having a pH lower than 5.5 or having any corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewerage or wastewater treatment plant.
 - (4) Solid or viscous substances in quantities or sizes capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewerage or wastewater treatment plant, such as ashes, cinders, sand, mud, straw, shavings, saw dust metal, glass, rags, feathers, tar, plastics, wood, unshredded garbage, whole blood manure, hair and fleshings, and paper dishes, cups, milk cartons or other containers, either whole or ground by garbage grinders.
- D. Controlled discharges. No person shall discharge or cause or permit to be

discharged the following described substances, materials, waters or wastes to public sewers if it appears likely, in the judgment of the Sewer Superintendent, that such wastes can harm either the sewers, other sewerage or wastewater treatment plant processes or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, public property or constitute a nuisance. In forming his judgment as to the acceptability of such wastes, the Sewer Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewerage, materials of construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, degree of treatability of wastes in the wastewater treatment plant and other pertinent factors. The substances prohibited are:

- (1) Any liquid or vapor having a temperature higher than 140° F.
- (2) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32° and 140° F.
- (3) Any garbage that has not been properly shredded. The installation and operation of a garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and prior approval of the Sewer Superintendent.
- (4) Any waters or wastes containing iron, chromium, copper, zinc or similar objectionable or toxic substances or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the same wastewater treatment plant exceeds the limits established by the operator of the plant.
- (5) Any waters or wastes containing phenols or other taste- or odor-producing substances, in concentrations exceeding limits which may be established by the Sewer Superintendent, as he may deem necessary or desirable, or to meet requirements of state, federal or other public agencies or the operator of the wastewater treatment plant.
- (6) Any radioactive wastes or isotopes of such halflife or concentration as may exceed limits established by the Sewer Superintendent or to meet requirements of state or federal regulations.
- (7) Any waters or wastes having a pH in excess of 9.5.
- (8) Materials which exert or cause:
 - (a) Unusual concentrations of inert suspended solids, such as fuller's earth or lime residues, or of dissolved solids, such as sodium chloride or sodium sulfate.
 - (b) Excessive discoloration, such as dye wastes or vegetable tanning solutions.
 - (c) Unusual BOD chemical oxygen demand or chlorine requirements in

such quantities as to constitute a significant load on the wastewater treatment plant.

- (d) Unusual volume of flow, concentration or slugs of wastes.
 - (9) 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 federal or state agencies.
- E. If any waters or wastes are discharged or proposed to be discharged to the public sewers which contain substances or possess characteristics enumerated in Subsection D of this section, the Sewer Superintendent may:
- (1) Reject the waters or waste.
 - (2) Require pretreatment to an acceptable condition before discharge to the public sewers.
 - (3) Require control over the quantities and rates of discharge.
 - (4) Require additional payment to cover the added cost of handling or treating the waters or wastes not covered by existing taxes, user fees or other sewer charges.
 - (5) If the Sewer Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plant, facilities and equipment therefor shall be subject to review and approval by the Sewer Superintendent and subject to the requirements of applicable regulations.
- F. Grease, oil and sand interceptors shall be provided when, in the opinion of the Sewer Superintendent, such are necessary for the proper handling of liquid wastes containing grease in excessive amounts or flammable wastes, sand or other harmful ingredients. Interceptors shall not be required for one-family living quarters served by a separate lateral. Such interceptors shall be of a type and capacity approved by the Sewer Superintendent, shall be located as to be readily accessible for cleaning and inspection and shall be provided and maintained in efficient operation by the owner of the user property.
- G. Where preliminary treatment or flow-equalizing facilities are provided for waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.
- H. The owner of any property serviced by a sewer lateral carrying industrial wastes shall install a suitable control manhole, together with necessary meters and other appurtenances in the building sewer, to facilitate observation, sampling, testing and measurement of the wastes. Such manhole shall be accessible, safely located and constructed in accordance with plans approved by the Sewer Superintendent. The manhole shall be installed and maintained by the owner at the owner's expense.
- I. All measurements, tests and analyses of the characteristics of waters and waste to which reference is made in this chapter 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, in effect at the effective date of this chapter. Suitable samples shall be taken at the control manhole. If the Sewer Superintendent determines that a special manhole need not be provided, the control manhole shall be considered to be the downstream manhole in the public sewer nearest to the point at which the building lateral is connected. Sampling shall be by customarily accepted methods to reflect the effect of constituents upon the sewerage and wastewater treatment plant and to determine the existence of hazard to life and property. An analysis approved by the Sewer Superintendent will determine whether a twenty-four-hour composite of all outfalls of the property is appropriate or whether a grab sample or samples may be permitted. Normally, BOD and suspended solids analyses are determined from twenty-four-hour composites of all outfalls, whereas pH's are determined from periodic grab samples.

- J. The Town and the operator of the wastewater treatment plant may enter into an agreement with the producer of industrial waste of unusual strength or character, such as to permit it to be accepted into public sewers, subject to payment of special charges by the producer.

§ 121-8. (Reserved)

§ 121-9. Sewer laterals and connections.

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or sewerage system under the jurisdiction or control of the Town.
- B. Sewer laterals may be constructed and connected to Town sewers only following issuance of a permit. The property owner or his representative shall make application on a form furnished by the Town. The permit application shall be supplemented by plans, specifications or other information required by the Sewer Superintendent. Such permits shall be in addition to road cut, driveway, building or other permits required by other rules or regulations.
- C. The application form shall be signed by the owner of the property and by the contractor under whose supervision the work is to be done.
- D. Permit and inspection fees may be established and changed from time to time by resolution of the Town Board.
- E. The Town will construct the portion of a sewer lateral between the Town sewer and the property line. The Town will install a cleanout at the property line. Although the Town will be responsible for workmanship on this section of the sewer lateral, the property owner will be responsible for keeping the entire sewer lateral, from the Town sewer to the building, including the portion installed by the Town, free flowing at the owner's expense.
- F. The portion of the sewer lateral up-flow from the property line shall be constructed by and at the expense of the property owner.

- G. All excavations for sewer laterals shall be adequately guarded with barricades and lights so as to protect all persons from hazard. The plumber, contractor or other person under whose supervision the sewer lateral is being installed shall post, in a conspicuous place adjacent to the excavation, a sign bearing his name, address, telephone number and emergency telephone number. The sign shall be at least two feet square. Streets, sidewalks and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the authority with jurisdiction thereof. Ditches and culvert pipes for storm- and surface water or other facilities disturbed during installation of the sewer lateral shall be replaced to the original condition. All driveways and parking areas shall be backfilled with noncompressible fill and restored to its original condition. All trench excavation and other work shall comply with federal and state safety regulations.
- H. A separate and independent sewer lateral shall be provided for every building, except that, where a building stands at the rear of another building on 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. Separate buildings, other than accessory buildings, shall be separately metered.
- I. Old sewer laterals may be used in connection with new buildings only when found upon examination and test by the Sewer Superintendent to meet all requirements of this chapter. The owner of the property shall bear all costs of exposing and testing such lateral sewers.
- J. Wherever possible, the lateral sewer shall be brought to the building at an elevation below the basement floor. In buildings in which interior sanitary lines are too low to permit gravity flow to the public sewer, sanitary sewage shall be lifted by an approved means and discharged to the lateral sewer, or the sanitary line within the building may be hung on a cellar wall. An interior sanitary line shall be not less than four inches in diameter.
- K. No person shall make, maintain or permit connection of roof leaders, downspouts, foundation drains, areaway drains, exterior drains or other sources of surface runoff or groundwater to a sewer lateral or any interior or exterior drain or line which is connected directly or indirectly to a public sewer. Sumps and sump pumps shall convey groundwater to a point of gravity disposal to a natural outlet, as approved by the Sewer Superintendent.
- L. Specifications for sewer laterals.
 - (1) Materials. Pipe used for lateral seeders shall conform to one or more of the following specifications:

Type	Specification
Unglazed clay pipe (extra strength)	ASTM Des. C278
Cast iron pipe	ASA Spec. 21

Asbestos cement (nonpressure type)	ASTM Des. C428
Asbestos cement (pressure type)	AWWA Spec. C400
Ductile iron	AWWA C151, H3, C104, C110
Polyvinyl chloride	ASTM Des. D-3034, F-679 or ASTM Des. D1785, Type I

- (2) Fittings shall be as furnished or recommended by the manufacturer of the pipe.
- (3) Pipe installation shall be of first class modern workmanship and materials, conforming to recommendations of the pipe manufacturers and as approved by the Sewer Superintendent.
- (4) A lateral sewer shall be sized in accordance with the fixture unit load it will carry. In no case will the lateral sewer be sized less than four inches in diameter when installed with extra heavy cast-iron soil pipe or six inches in diameter when installed with asbestos cement or extra strength vitrified tile pipe. In every case, extra heavy cast-iron sewer laterals shall extend five feet outside of building lines. In buildings other than one- or two-family dwellings, the size of the lateral sewer shall be determined by the Sewer Superintendent.
- (5) All joints between pipes of different composition shall be made by means of a manufactured transition piece approved by the Sewer Superintendent.
- (6) All connections to the Town sewer will be made to a wye connection provided for the property by the Town, or a saddle connection installed by the Town.
- (7) Lateral sewers longer than 100 feet or offset at an angle greater than 45° shall have an approved cleanout or manhole installed by the property owner, as approved by the Sewer Superintendent.
- (8) There shall be a main building trap of the same size as the lateral sewer, to be provided with two cleanouts of not less than four inches in diameter and a fresh-air inlet of at least half the diameter of the interior drain, but in no case less than three inches in diameter. The fresh-air inlet will be piped to the outside air with an approved vent cap. The building trap may be placed outside the building only if special permission is granted by the Sewer Superintendent.
- (9) Backwater valves shall not be placed in the lateral sewer or building drain.
- (10) Dead ends shall be avoided in the lateral sewer.
- (11) Connections to the lateral sewer downflow from the building trap are prohibited with the exception of exhausts from high pressure steam boilers approved by the Sewer Superintendent.

(12) All offsets in lateral sewers shall be made by means of wye branches and one-eighth bends or less.

- M. All plumbing installed to connect to the sewer lateral or altered to connect to the sewer lateral shall conform to applicable codes for new or remodeled plumbing.
- N. A sewer lateral shall be laid on bedding on virgin earth or properly compacted base. Bedding shall be of crushed stone or gravel, not less than six inches deep, carefully compacted, extending up to six inches above the pipe. Trench backfill above the bedding shall be compacted in six inch layers. Blocking, where used, shall be of a nonrotting material.
- O. Sewer laterals shall not be used during construction to carry surface or ground water. A connection for a subdivision shall be capped with a watertight plug until ready for normal use. During construction, ends of sewer laterals shall be capped to prevent entry of any substances.
- P. Sewer laterals shall be gastight and watertight. Sewer laterals shall be tested as specified by the Sewer Superintendent. The Sewer Superintendent shall receive not less than 48 hours' notice of when a sewer lateral is to be ready for inspection and connection to a Town sewer lateral. The sewer lateral up-flow from the property line shall not be backfilled before inspection and approval by the Sewer Superintendent.

§ 121-10. (Reserved)

§ 121-11. Industrial sewage.

(Reserved)

§ 121-12. (Reserved)

§ 121-13. (Reserved)

§ 121-14. (Reserved)

§ 121-15. Protection from loss or damage.

- A. No unauthorized person shall willfully or negligently break, damage, destroy, uncover, deface or tamper with any sewer, lateral, structure, equipment or appurtenance which is a part of the sewerage facilities of the Town. Any person violating this provision shall be subject to prosecution under the New York Penal Law, in addition to enforcement pursuant to this chapter.
- B. Any person violating the provisions of this chapter shall be liable to the Town for all resulting expense, loss, cost or damage, including engineering and legal costs and fees.

§ 121-16. (Reserved)

§ 121-17. (Reserved)

§ 121-18. Fees and related matters.

- A. Initial fee categories and fee schedules are stated in this section.
- B. Tap-in fees.
 - (1) Single-family residence; \$1,000.
 - (2) Multiple dwellings, including duplexes and apartments: \$1,000.
 - (a) If a sewer lateral larger than six inches is required, the fee shall be \$1,000 or \$100 per fixture connected to the sewer lateral, whichever is greater.
 - (3) Nondwelling buildings, including motels, nursing homes: \$1,000 or \$100 per fixture connected to the sewer lateral, whichever is greater.
 - (4) Tap-in fees for industrial sewage shall be determined individually after analysis of the industrial sewage to be generated thereby.
- C. In an area with newly constructed Town sewers, constructed by and at the expense of owners of user properties, tap-in fees will not be collected for connection of existing buildings utilizing septic tanks to the Town sewer. An inspection and permit fee of \$300 shall be paid.
- D. User fees. [Amended 12-20-1993 by L.L. No. 1-1993; 9-19-1996 by L.L. No. 5-1996; 2-26-2001 by L.L. No. 4-2001]
 - (1) Every person owning user property connected to a public sewer (except industrial users) shall pay sewer operation and maintenance user fees in accordance with the following schedule:

Each calendar quarter:

 - (a) Six dollars and twenty-five cents for each 1,000 gallons, or fractional portion thereof, of water used.
 - (b) Water consumed in excess of 30,000 gallons, \$3.50 per 1,000 gallons.
- E. Billing procedures.
 - (1) User fees will be billed and payable on a calendar quarter basis.
 - (2) The quantity of water consumed for purposes of calculating user fees shall be the amount of water determined by the water meter which measures water consumed on the property.
 - (3) For properties on which water is not metered for billing by a Town water district, the property owner shall provide a meter, as approved by the Sewer Superintendent, at the sole cost of the owner.

- (4) The owners of properties served by Town sewers shall be responsible for the payment of all fees pursuant to this chapter.
- (5) Sewer bills shall be payable when due. Sewer bills will be mailed to the property owner or tenant. Failure of a property owner or tenant to receive a sewer bill will not release the property owner from responsibility for payment for such bill, together with any fees or penalties which may accrue by virtue of delayed payment.
- (6) Upon written notice from a property owner, the Town billing office may mail sewer user fee bills to tenants. In so doing, the Town will not be responsible for failure of the tenant to receive or pay the bill.
- (7) Bills due to the Town for user fees or other fees specified pursuant to this chapter shall be paid net within 30 days from the date of issue, after which an additional fee of 10% shall be added to the amount of the bill.
- (8) Whenever a property discharging wastewater into a Town sewer is without a functioning water meter, the Town Water Department shall be requested to install a meter. The property owner shall pay the cost of the water meter installation or replacement. The Town will estimate and bill for the estimated quantity of water and sewage not measured by a water meter.
- (9) Where a water meter is found to be stopped or underregistering, the amount of water used and sewage discharged shall be estimated according to the quantity used at similar properties, as determined by the Sewer Superintendent. The fact that the bill has been estimated will be indicated on the bill.
- (10) Where it is impossible or impracticable to obtain a regular quarterly reading of a water meter, the amount of sewage discharged shall be estimated and a bill rendered accordingly.
- (11) Any user fee account or other unpaid fees pursuant to this chapter which remain unpaid on August 1 of the year following rendition, together with additional fees and penalties, shall be placed upon the next following general tax roll after such date. Thereafter, such returned fees and charges shall become due along with other taxes related to said roll and shall be subject to the same additional penalties and interests as such taxes. User fees and other fees pursuant to this chapter shall be liens against real property the same as taxes. The Town may nevertheless proceed to collect user fees and other fees pursuant to this chapter through civil action.
- (12) Complaints of inaccurate user fee bills shall be made no later than the 20th day following the date of issue. All portions of such bills not being contested must be paid.
- (13) The owner of a vacant building may deliver written notice to the Town requesting removal of the water meter and shutoff of water service to prevent usage. The meter so removed shall be stored by the Town until notified that the building is reoccupied at which time the meter will be reset, the shutoff

seal removed and the water supply restored. Upon payment of the fee for removal of the water meter, and its removal, the charge for user fees shall be suspended.

- (14) For a building permanently demolished, user fees shall be discontinued when conclusive proof is presented to the Sewer Department of the sealing of the sewer lateral and upon payment of bills to the date of such delivery of proof of demolition.
- (15) Persons selling and purchasing property shall make their own arrangements regarding user and other fees. The Town billing office will provide appropriate information upon request.
- (16) For an initial or final billing where the user fees cover a period of less than a full calendar quarter, there will be an estimated proration which will be described on the bill.
- (17) The Town may require a deposit for a prospective user and other fees pursuant to this chapter prior to issuance of a sewer permit or at any other time. The amount of such deposit shall be determined by the Sewer Superintendent in an amount calculated to protect the Town from collection costs or delayed payments of bills for fees.

§ 121-19. Administration.

- A. The Sewer Superintendent and other authorized employees of the Town shall be permitted to enter all properties within a Town sewer district or an area being considered for incorporation into a Town sewer district for purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. Such employees will not inquire into any proprietary processes, including metallurgical, chemical, petroleum, refining, ceramic, paper or other industries or businesses, except to the extent having a direct bearing on the kind and source of discharges to laterals, sewers, sewerage or wastewater treatment facilities.
- B. The Sewer Superintendent and other authorized employees of the Town shall also be permitted to enter upon properties through which the Town holds an easement or right-of-way for sewer, water line or other purposes.

§ 121-20. (Reserved)

§ 121-21. (Reserved)

§ 121-22. (Reserved)

§ 121-23. (Reserved)

§ 121-24. Penalties for offenses.

- A. A person who appears to be violating any provisions of this chapter may be served,

on behalf of the Town, with a written notice stating the nature of the violation and by fixing reasonable time limit for the satisfactory correction thereof. The apparent offender shall, within the period of time stated in such notice, correct or cease all such apparent violations.

- B. An offense against the provisions of this chapter shall constitute a violation under the New York Penal Law and shall be punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both. In addition, any person, firm or corporation which violates any of the provisions of this chapter or which shall omit, neglect or refuse to do any act required thereby shall severally, for each and every such violation, forfeit and pay a civil penalty not to exceed \$100. The imposition of penalties for any violation of this chapter shall not excuse the violation or permit it to continue. The application of the above penalty or penalties or prosecution for violation of any provision of this chapter shall not prevent the enforced removal of conditions prohibited by this chapter. When a violation of any of the provisions of this chapter is continuous, each day thereof shall constitute a separate and distinct violation subjecting the offender to an additional penalty. The foregoing penalties are separate from and in addition to penalties prescribed by any other applicable statutes, ordinances, local laws or regulations.

§ 121-25. Appeals.

Any person adversely affected by a decision of the Sewer Superintendent may appeal the same, in writing, within 10 days to the Town Board.

§ 121-26. When effective.

This chapter shall take effect immediately upon filing with the Secretary of State of the State of New York.