

A local law to amend Chapter 103 of the Code of the Village of Sea Cliff (entitled "Sewers and Sewage Disposal"), to provide for sewer connection requirements in accordance with Nassau County laws and regulations and to modify additional provisions of Chapter 103.

Section one. Chapter 103 of the Code of the Village of Sea Cliff hereby is amended to read as follows:

"Chapter 103. Sewers and Sewage Disposal.

Article I. Connections to County Sewer and Sewage Disposal

§ 103-1. Title.

This article shall be known and may be cited as the "Village of Sea Cliff Sewer Code."

§ 103-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

CERTIFICATE OF APPROVAL

A certification of acceptance by the Enforcement Officer as conforming to the provisions of this article or of the regulations heretofore adopted by the County of Nassau governing discharge into and connections with the sewer facilities of the County of Nassau.

DEAD END

A branch leading from a soil, waste, vent or house drain or house sewer which is terminated at a developed distance of two feet or more by means of a cap, plug or other fitting not used for admitting water to the pipe.

HOUSE DRAIN

That part of the lowest horizontal piping of a house drainage system which receives the discharge from soil, waste or other drainage pipes inside the walls of any building and conveys the same to the house sewer, beginning at the end of the existing cast iron pipe or two feet outside the outer face of the building wall. Where the house trap is located outside the building wall, it shall be considered as part of the house drain.

HOUSE SEWER

That part of the horizontal piping of a house drainage system extending from the house drain at the end of the existing cast iron pipe or two feet outside the outer face of the building wall to

its connection with the public sewer or private disposal plant and conveying the drainage of but one building site.

PERMITTED PLUMBER

A person, corporation or entity permitted to conduct plumbing work under applicable laws or regulations of the Village of Sea Cliff and/or Nassau County.

MAIN

That part of any system of horizontal, vertical or continuous piping which receives the waste, vent from fixture outlets or traps, directly or through branch pipes.

ENFORCEMENT OFFICER

The Village Building Inspector designated by the Board of Trustees and such duly authorized employees of the County of Nassau and United States Environmental Protection Agency and New York State Department of Environmental Conservation personnel authorized to conduct such inspections.

NASSAU COUNTY SEWER SYSTEM

A system, owned and/or operated by Nassau County, for the collection, treatment and discharge of sewage and wastewater from homes, businesses, industries and other sewage or wastewater generating facilities.

SOIL PIPE

Any pipe which conveys the discharge of water closets, with or without the discharges from other fixtures, to the house drain.

STACK

A general term for any vertical line of soil, waste or vent piping.

TRAP

A fitting or device so constructed as to prevent the passage of air or gas through a pipe without materially affecting the flow of sewage or wastewater through it.

TRAP SEAL

The vertical distance between the crown weir and the dip of the trap.

VENT PIPE

Any pipe provided to ventilate the plumbing system and to prevent trap siphonage and back pressure.

VILLAGE

The Incorporated Village of Sea Cliff.

WASTE PIPE

Any pipe which receives the discharge of any fixtures, except water closets and urinals, and conveys the same to the house drain, soil or waste stacks.

WATER DISTRIBUTION PIPES

Those pipes which convey water from the service pipe to the plumbing fixtures.

WATER SERVICE PIPE

The pipe from the water main to the building served.

§ 103-3. Compliance with terms and conditions.

It shall be unlawful for any person to perform any work associated with connecting new and/or existing sanitary disposal systems to Nassau County Sewer System otherwise than in compliance with the terms and conditions of this article and any applicable federal, state, county or local laws and regulations.

§ 103-4. Permit required.

No person shall install, alter or repair or cause to be installed, altered or repaired any plumbing installations within the scope of this article except such persons as are duly permitted as herein defined, except that this provision shall not apply to any employee of the State of New York or any political subdivision thereof when employed on the business of the State of New York or any political subdivision thereof.

§ 103-5. Corporation as plumber.

A domestic corporation desiring or intending to conduct the business or trade of plumbing within the Village of Sea Cliff may do so, provided that one or more officers of such corporation, separately or aggregately, hold and own at least 51% of the issued and outstanding stock of such corporation and provided that each of said officers holding such percentage is a duly permitted plumber, as said term is defined herein.

§ 103-6. Subletting of plumbing work.

- A. No person, corporation or partnership permitted as a plumber pursuant to this article shall apply for, receive or make use of any permit granted by reason of such permit so as to permit the performance of any plumbing work by others not under his immediate supervision.
- B. Any permitted plumber shall submit, on request of the Enforcement Officer, evidence reasonably satisfactory to such Enforcement Officer that he has not permitted any such work to be done in his name by other than a permitted plumber and that, in general, he has fully complied with the requirement of this section.

§ 103-7. Bond.

- A. Every permitted plumber shall file with the Board of Trustees of the Village of Sea Cliff, at the time of the filing of the application for a permit, a bond approved by said Board, the amount of which shall be set from time to time by resolution of the Board of Trustees, indemnifying and saving harmless the Village of Sea Cliff from all damages or claims for damage to public sewer, water, water service main or pipes, to highways or the surface thereof, to public or private property or to any person arising from unlawful or negligent acts or omissions of said permitted plumber, his agent, servants, employees or anyone operating under the authority of his permit in making connections with a public sewer or in making an opening or excavation in a public highway, public square or public parking area or in maintaining, guarding, refilling or working in or about such opening or excavation or in maintaining or guarding objects or materials taken from such opening or excavation or used in connection therewith. Said bond shall remain in full force and effect for a period of not less than six months subsequent to the completion of all work encompassed by the permit.
- B. The filing of said bond shall qualify the applicant for a maximum of 10 permits, and, in the event that said applicant shall apply for permits in excess of 10, additional surety bonds shall be required as follows:
 - (1) For permits in excess of 10 but not more than 20, an additional surety bond in an amount of which shall be set from time to time by resolution of the Board of Trustees.
 - (2) For permits in excess of 20, such additional surety bonds as in the judgment of the Board of Trustees shall be deemed necessary.

§ 103-8. Insurance and Workmen's Compensation.

- A. Every permitted plumber shall, prior to the commencement of any work, file with the Board of Trustees at the time of the filing of the application for a permit a public liability insurance policy covering liability arising from the issuance of the permits provided for herein, for all damages arising out of bodily injury to any one person and for all damages arising out of bodily injury in any one accident and for property damage with coverage limits in amounts as set from time to time by resolution of the Board of Trustees. Said liability policy shall remain in full force and effect throughout the term of the operation of the work and shall contain a provision wherein the cancellation or material modifications there shall not be made unless at least 15 days' prior written notice thereof is given by registered or certified mail to the Enforcement Officer of the Village of Sea Cliff. Said policy of insurance shall specifically name the Incorporated Village of Sea Cliff as an insured, and proof of payment of the premium therefor shall be simultaneously furnished at the time of the filing thereof.

- B. Workmen's compensation. All permitted plumbers, prior to the commencement of any work and simultaneously with the application for a permit, shall file evidence of workmen's compensation coverage in the form of a certificate of workmen's compensation insurance as required by the New York State workmen's compensation laws, said policy to be kept in full force and effect until the completion of all work under the above-mentioned permit and the issuance of the certificate of approval.

§ 103-9. Sewer connections required.

- A. Every new installation of a plumbing system or facility in a building or structure shall, when there is an accessible public sewer in a street abutting the lot on which such building is located, be connected with such sewer as provided in this section.
- B. The plumbing system of an existing building or structure located on a lot abutting a street in which a public sewer has been installed after such plumbing or drainage was installed shall, whenever directed by the Building Department of the Village of Sea Cliff or the Department of Public Works or Health Department of the County of Nassau, be connected to such public sewer. Under no circumstances shall it be permissible to construct a new cesspool or septic tank for an existing building or structure, or replace an existing cesspool or septic tank, where Public Sewer Facilities are available.
- C. For purposes of this article, Public Sewer facilities are available if a sewer line has been constructed in a street or right-of-way abutting the premises and such sewer line is operational.

§ 103-10. Applications, fees and approvals.

- A. A separate application must be filed for each sewer connection to a building. Said application shall be obtained at the office of the Building Department of the Village of Sea Cliff, shall be signed by the fee owner of the premises and his permitted plumber and, if made by such permitted plumber, must contain an authorization by such fee owner permitting same. Upon the request of the Building Department and/or the Enforcement Officer, the applicant plumber shall submit proof of his being a duly permitted plumber under appropriate provisions of the Village of Sea Cliff.
- B. The fee for each sewer connection permit shall be in an amount as shall be set from time to time by resolution of the Board of Trustees, which schedule of fees shall be maintained by the Building Department, and shall accompany the application.
- C. No fee shall be returned after a permit has been issued.
- D. The applicant shall submit with said application a copy of the contract entered into with the homeowner for the performance of such work, which shall have expressly set forth therein the number of cesspools to be disconnected and the nature of any plumbing work to be performed within the interior of the premises.
- E. Immediately upon approval by the Enforcement Officer of the installation of a sewer connection to a building, a certificate of approval shall be issued by the Enforcement Officer

to the plumber and a copy forwarded by mail to the homeowner. The Enforcement Officer shall endorse upon such certificate the date that said installation was inspected. In the event that the installation of a sewer to a building has not been completed and approved within four months following the date of issuance of a permit, the same shall be deemed to be of no further force and effect, and the fee theretofore paid shall be deemed forfeited.

§ 103-11. Separate connections.

Each building in the area served by Public Sewer Facilities must be connected separately and independently with the sewer through the house connection branch directly opposite the building or nearest in the downstream direction. Groupings of buildings by one house sewer will not be permitted, save by special permission of the Building Department of the Village of Sea Cliff and the Department of Public Works of the County of Nassau.

§ 103-12. Discontinuance of cesspools.

- A. When a building is connected to the Nassau County Sewer System, all cesspools or overflow pools located upon the premises shall be discontinued, or where such cesspools or overflow pools are disconnected for any reason, the owner must have these pools promptly emptied, cleaned, disinfected and properly and completely backfilled with earth, sand or other clean material and water-jetted so as to ensure minimum settlement. If the cesspool may be otherwise repurposed in accordance with federal, state, county or local regulations, such repurposing is permitted subject to applicable regulations. Adequate safeguards will be maintained at all times during installations, and protective coverings over cesspool openings shall be utilized so that said cesspool areas shall not become public hazards. All work associated with discontinued cesspools herein provided for shall be completed not later than 24 hours subsequent to the commencement of such work.
- B. Cesspools must be breached with 10 feet of extra-heavy cast-iron pipe. When transit pipe is used to bypass a cesspool, it must be a minimum of five feet from the center line of the cesspool or two feet from the side of same.

§ 103-13. Joints, pipes and cleanouts.

- A. All joints shall be made watertight, and precautions shall be taken to prevent caulking material from percolating into pipes.
- B. The sewer connection to a building shall be of cast-iron sewer pipe or other material as permitted by the applied to jurisdiction.
- C. For cast-iron pipe, all joints shall be firmly packed with oakum or hemp and shall be secured only with pure molten lead; neoprene gaskets will be permitted for extra-heavy cast-iron pipe and fittings.
- D. Cleanouts shall be installed at every change of direction over 30° and at intervals of every 50 feet of lineal run. A five-inch Y cleanout shall be installed at the termination point of the house drain and extended to within six inches of grade. No cleanout shall be required at the

termination point of the house drain where a five-inch cleanout exists in front of the house trap.

§ 103-14. House sewers.

- A. House sewers shall be covered to a depth of at least two feet with well-rammed fine earth, free from stones or rubbish.
- B. When a house sewer is installed and the house trap will be below grade, a slate, steel or concrete cover two feet by two feet must be installed over the concrete pit.
- C. When a house sewer is being installed and no house trap, fresh-air inlet or continuous vent through the roof exists, the same must be installed, and the minimum two-inch vent pipe increased to three inches through the roof.
- D. All plumbing fixtures must be connected to the sanitary system when a house sewer is being installed. A plumbing permit will be required and inspections of said fixtures shall be made by the Building Department of the Village of Sea Cliff.
- E. No person shall discharge, directly or indirectly, any stormwater, surface water, groundwater, roof runoff or subsurface drainage into any county sewer facility, nor such other substances as shall be prohibited from being discharged therein by virtue of the applicable rules and regulations adopted by the County of Nassau governing discharges into connections made with such county sewer facility.

§ 103-15. House traps.

- A. An iron running trap shall be placed in the house drain near the front wall of the house and on the sewer side of all connections. If placed outside the house or below the cellar floor, it must be made accessible by a masonry manhole at least 24 inches square inside or 30 inches inside diameter, the wall of which shall be at least eight inches thick, and provided with an iron manhole cover. When outside the house, it shall in no case be less than three feet six inches below the surface of the ground. Where fixtures are less than three feet above the main sewer in the street, an approved backwater valve shall be installed.
- B. A five-by-four-inch extra-heavy cast-iron wye shall be placed inside the foundation wall and before the house trap. In slab floor or cellarless types of jobs, the above shall be placed outside the house in a pit as described in Subsection **A**.
- C. When the plumbing system is altered by the addition of any new soil, waste or vent lines to the extent of 50% or more and no house trap and fresh air inlet is existing on the house drain, the same shall be provided for as prescribed in this section.
- D. House traps shall have two cleanouts with brass screw-type plugs.

§ 103-16. Laying of pipe.

No pipe shall be laid in any trench unless the sewer connection to the building and the connection to the sewer at the curb are exposed. All pipe shall be laid with the uniform fall and in as direct and straight a line as possible, from two feet outside the outer face of the building wall or point where existing cast-iron pipe extends through the wall to the existing connection to the sewer at the curb. The minimum fall per foot of pipe laid shall be 1/8 inch per foot. Sewer piping shall be supported throughout its entire length.

§ 103-17. Tunneling.

Tunneling may be done in yards, courts or driveways of any building site, provided that cast-iron pipe is used. However, the diameter of the tunnel may not be over twice the diameter of the pipe, and it shall be of such length as will permit inspection of all joints outside the tunnel. All tunnels shall be backfilled by the use of water.

§ 103-18. Backfilling.

Adequate precaution shall be taken to ensure proper compaction of backfill around the pipe without damage to piping. Trenches shall be backfilled in thin layers to 12 inches above the top of the pipe with clean earth which shall not contain stones, boulders, cinder fill or other materials which will damage or break the pipe or cause corrosive action. Mechanical devices may then be used to finish backfilling to grade. All trenches shall be compacted with water, using the jetting method.

§ 103-19. Unusual water conditions.

Where a water condition exists, excavation must be properly drained of excess water with the use of pumps and well points as necessary to ensure a watertight connection of the house sewer line with the county sewer facility spur and so as to permit visual inspection by the Enforcement Officer.

§ 103-20. Soil, waste air inlet and venting piping.

All rules and regulations of the State Building Code applicable to plumbing heretofore adopted by the Incorporated Village of Sea Cliff shall likewise be applicable to soil, waste air inlet and venting piping, as shall be required by the work encompassed by this article.

§ 103-21. Damage to Village property; shoring.

- A. The plumber making the sewer connection to a building shall be responsible for any damage to Village or Nassau County property, including but not limited to sidewalks, aprons, trees, grass area and curbs. He shall take all precautions necessary to protect Village or Nassau County property. Any open trench or other obstruction in, on or abutting the sidewalk, street or other Village property shall be surrounded by suitable barriers or guards for the protection of persons using the streets or property in the daytime and, in addition thereto, by lights or flares from twilight continuously until daylight. Such barriers and lights shall conform in kind and number to the requirements of the Enforcement Officer. Immediately upon the approval of the sewer connection to a building, the plumber shall see that all trench settlement is properly filled to the grade of the original ground.

B. Shoring. All excavations for a sewer connection exceeding the depth of five feet shall be properly shored with plywood or sheathing material so as not to cause a wholesale cave-in of the trench and surrounding area.

§ 103-22. Inspections required.

The Enforcement Officer shall be notified 48 hours in advance of the commencement of any work under any permit issued hereunder. No work performed pursuant to a permit issued under this article shall be covered before inspection is made by the proper county or Village inspector.

§ 103-23. Workmanship.

Workmanship shall be of such quality to fully secure the results sought to be obtained in this article. All details of plumbing work not otherwise provided for in this article shall be of a kind and quality approved by a Enforcement Officer.

§ 103-24. Applicability of county regulations.

All regulations governing discharge into and connections with county sewer facilities adopted by the County of Nassau are hereby made part of these regulations and must be complied with by the applicant or owner of the premises involved.

§ 103-25. Penalties for offenses.

Any and every person who shall violate any of the provisions of this article or who shall fail to comply herewith shall be subject to a fine not to exceed \$1,000 and shall forthwith, upon oral or written notice of any employee or official of the Village, proceed to correct and remedy such violation without any delay. If such person or persons who shall violate any of the provisions of this article, after notice of such violation in the manner above set out, do not forthwith proceed to correct and remedy such violation, then and in that event, each day that a condition in violation of this article exists shall constitute a separate and distinct violation of this article.

Article II. Connection and Construction of Building Sewers

§ 103-26 Use of public sewers required.

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 jurisdiction of the Village, any human or animal excrement, garbage or other objectionable waste. No person shall discharge domestic sewage onto the ground surface or discharge it in any way that allows it to reach to the ground surface.

Article III. Regulation of Public Sewers

§ 103-27 Definitions.

For the purposes of this article, the terms used herein are defined as follows:

ABNORMAL SEWAGE

Sewage whose concentration of one or more characteristics of normal sewage exceeds the maximum concentrations of the characteristics of normal sewage.

ACT or THE ACT

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

BIOCHEMICAL OXYGEN DEMAND (BOD)

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 200° C., expressed in milligrams per liter.

BOARD OF COMMISSIONERS

The Board of Trustees of the Village of Sea Cliff or such other persons or Board as may be appointed by the Board of Trustees.

BUILDING DRAIN

That part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, which begins five feet outside the inner face of the building wall.

BUILDING SEWER

The extension from the building drain to the public sewer or other place of disposal, also called "house connection" or "building lateral."

COMBINED SEWER

A sewer intended to receive both wastewater and storm or surface water.

EASEMENT

An acquired legal right for the specific use of land owned by others.

ENFORCEMENT OFFICER

The Building Inspector of the Village of Sea Cliff, or such other person designated by the Board of Trustees of the Village of Sea Cliff, or the authorized deputy, agent, or representative of either.

FLOATABLE OIL

Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

GARBAGE

The solid wastes, including animal and vegetable waste, resulting from the handling, preparation, cooking, and serving of foods.

INDUSTRIAL USER

Any industrial or commercial establishment with a classification as designated in the "Standard Industrial Classification Manual", in the most current edition, as published by the Executive Office of the President and who utilizes the services of the Village's sewer system.

INDUSTRIAL WASTES

The wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes or sewage.

LATERAL, BUILDING

The sewer extension from the building drain to the street lateral or other place of wastewater disposal.

LATERAL, STREET

The sewer extension from the public sewer to the property line.

NATURAL OUTLET

Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION or NYSDEC

The New York State Department of Environmental Conservation or other duly authorized official of said Department.

ph

The logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

POTW TREATMENT PLANT

That portion of a municipal system which is designed to provide treatment (including recycling and reclamation) wastes received by the municipal system.

PRETREATMENT

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 achieved by physical, chemical 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.

PROPERLY SHREDED GARBAGE

The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle having a dimension greater than 1/2 inch in any dimension.

PUBLICLY OWNED TREATMENT WORKS (POTW)

A treatment works as defined by Section 212 of the Act (33 U.S.C. § 1292). Includes any sewers that convey wastewater to the POTW but does not include pipes, sewers or other conveyances not connected to a facility providing treatment.

PUBLIC SEWER

A common sewer controlled by a governmental agency or public utility.

ROOF DRAIN

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

SANITARY SEWAGE

Liquid wastes from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories or institutions, and free from stormwater, surface water, industrial wastes and other wastes.

SANITARY SEWER

A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of groundwater, stormwaters, and surface waters that are not admitted intentionally.

SEWAGE

A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, and such groundwater, surface water and stormwater as may be inadvertently present. The mixture of sewage, as defined above, with industrial wastes and other wastes shall also be considered sewage within the meaning of this definition.

SEWAGE, DOMESTIC (DOMESTIC WASTES)

Liquid wastes from the noncommercial preparation, cooking and handling of food, liquid wastes containing human excrement and similar matter from the sanitary conveniences in dwellings, commercial buildings, industrial buildings and institutions, or liquid wastes from clothes washing and/or floor/wall washing. Domestic sewage includes both black water and grey water.

SEWAGE, NORMAL

A. Sewage, industrial wastes or other wastes, which show, by analysis, the following characteristics:

- (1) BOD (five-day): 250 milligrams per liter or less.
- (2) Suspended solids: 240 milligrams per liter or less.
- (3) Phosphorus: 50 milligrams per liter or less.
- (4) Ammonia: 30 milligrams per liter or less.
- (5) Total Kjeldahl Nitrogen: 50 milligrams per liter or less.
- (6) Total Nitrogen: 40 milligrams per liter or less.
- (7) Chlorine demand: 15 milligrams per liter or less.
- (8) Chemical oxygen demand: 350 milligrams per liter or less.
- (9) Oil and grease: 100 milligrams per liter or less.

B. Despite satisfying one or more of these characteristics, if the sewage also contains substances of concern, it may not be considered normal sewage.

SEWAGE TREATMENT PLANT

Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS

All facilities for collecting, pumping, treating and disposing of sewage.

SEWER

A pipe or conduit for carrying or transporting sewage.

SEWERAGE SYSTEM (also POTW)

All facilities for collecting, regulating, pumping and transporting wastewater to and away from the POTW treatment plant.

SEWER, STORM (STORM DRAIN)

A sewer which carries stormwater and surface waters and drainage, but excludes sewage and industrial wastewaters, other than cooling waters and other unpolluted waters.

SLUG

Any discharge of water or wastewater 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 average twenty-four-hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

SPDES

The State Pollution Discharge Elimination System established by Article 17 of the Environmental Conservation Law of the State of New York for issuance of permits authorizing discharges to the waters of the state.

STORM DRAIN (sometimes termed "storm sewer")

A drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

STORMWATER

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

SUSPENDED SOLIDS

Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

UNPOLLUTED WATER

Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

WASTEWATER

The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

WATERCOURSE

A natural or artificial channel for the passage of water either continuously or intermittently.

§ 103-28 Manner of disposal of unpolluted water.

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

B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, drywells, other stormwater drainage systems or to a natural outlet as approved by the Enforcement Officer. Industrial cooling waters or unpolluted process waters may be discharged, on approval of the Enforcement Officer, to a storm sewer or natural outlet. Cooling water dischargers to waters of the state must apply for SPDES permits and are subject to state and federal regulations.

§ 103-29 Materials not to be discharged into public sewers.

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

(1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW.

(2) 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 POTW treatment plant.

(3) 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 sewerage works.

(4) Solid or viscous substances in such quantities or of such size as to be capable of causing an interference or obstruction to the flow in sewers, or other interference with the proper operation of the sewerage 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 or plastic dishes, cups, milk containers, either whole or ground by garbage grinders.

(5) Any liquid or vapor having a temperature higher than 150° F. (65° C.) or heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature of the sewage at the sewage treatment plant exceeds 104° F. (40° C.).

(6) Materials which exert or cause:

(a) Unusual biochemical oxygen demand (BOD) or chlorine requirements in such quantities as to constitute a significant load on the POTW treatment plant.

(b) Unusual volume of flow or concentration of wastes constituting "slugs" as defined in this chapter.

B. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Enforcement Officer that such wastes can harm either the sewer, POTW 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 or her opinion as to the acceptability of these wastes, the Enforcement Officer will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials or construction of the sewers, nature of the sewage treatment process, capacity of the POTW treatment plant, degree of treatability of wastes in the POTW treatment plant and other pertinent factors. The substances prohibited are:

(1) Any waters or wastes containing floatable oil or wax, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° and 150° F. (0° and 65° C.).

(2) Any garbage, shredded or otherwise.

(3) Any waters or wastes containing acid, pickling wastes or concentrated plating solutions.

(4) Any waters or wastes containing iron, chromium, lead, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Enforcement Officer for such materials as shown in Appendix A or as set in a categorical pretreatment standard.

(5) Any waters or wastes containing taste or odor producing substances in such concentrations exceeding limits which may be established by the Enforcement Officer as necessary, after treatment of the composite sewage, to meet the requirements of the county, state, federal or other public agencies having jurisdiction for such discharge to the receiving waters.

(6) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Enforcement Officer in compliance with applicable county, 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, but not limited to, diatomaceous earth, fuller's earth, lime slurries and lime residues; or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.

(b) Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.

(9) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, and would pass through to such degree that the POTW treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(10) Any substances creating conditions which violate any statute, rule or regulation of any public agency, including the EPA.

§ 103-30 Authority of Enforcement Officer over certain wastes.

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 §103-29 of this chapter, and which in the judgment of the Enforcement Officer 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 Enforcement Officer 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

B. When considering the above alternatives, the Enforcement Officer shall give consideration to the economic impact of each alternative on the discharger. If the Enforcement Officer 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.

§ 103-31 Floatable oil and sand interceptors, including grease traps.

Floatable oil and sand interceptors, including grease traps, shall be provided when, in the opinion of the Enforcement Officer they are necessary for the proper handling of liquid wastes containing floatable oil in excessive amounts, as specified in § 103-29 (B)(1), 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 and grease traps shall be of a type and capacity approved by the Enforcement Officer and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors and grease traps, 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 Enforcement Officer. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms.

§ 103-32 Facilities to be maintained by owner.

Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

§ 103-33 Information to be furnished by user.

The Enforcement Officer may require a user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:

- A. Wastewater discharge peak rate and volume over a specified time period.
- B. Chemical analysis of wastewaters.
- C. Information on raw materials, processes, and products affecting wastewater volume and quality.
- D. Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control.
- E. A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
- F. Details of wastewater pretreatment facilities.
- G. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

§ 103-34 Measurements, tests, and analyses.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the standards and

methods applied by Nassau County. Sampling methods, locations, times, durations and frequencies are to be determined on an individual basis subject to approval by the Enforcement Officer.

§ 103-35 Specific requirements.

A. All properties, and all owners of properties, connected to the Nassau County Sewer System shall comply with all applicable regulations of Nassau County.

B. Any violation of the Sea Cliff Sewer Code shall constitute a violation of this chapter.

Article IV. On-Site Sanitary Waste Systems

§ 103-36 On-site sanitary waste systems.

The regulations established in this article shall apply where connection cannot be made to the Nassau County Sewer System and where the construction and use of on-site sanitary waste system is permitted by the Building Department.

A. Prior to the construction and use of an on-site sanitary waste system a written permit must be obtained from the Board of Trustees.

B. The fee for an on-site sanitary waste system permit (if permitted) shall be set from time to time by resolution of the Board of Trustees.

C. Application for the permit required by Subsection A shall be made in the same manner set forth in §103-10.

D. The Village may at any time revoke a permit granted hereunder upon recommendation of the Enforcement Officer or the Nassau County Health Department by reason of an unsanitary or unhealthful condition existing or created by the use of such on-site sanitary waste system or by reason of the construction of available or accessible Public Sewer Facilities capable of serving the property in question.

E. On-site sanitary waste systems shall be constructed in accordance with the rules and regulations of all agencies having jurisdiction thereof.

F. All on-site sanitary waste systems shall be pumped at the direction of the property owner or at the direction of the Village if a violation of the Village Code shall occur. The cost of pump-outs shall be the responsibility of the property owner. All pumped matter shall be removed, transported and disposed of by persons duly licensed by agencies having jurisdiction thereof.

Article V. Protection from Damage

§ 103-37 Damaging or tampering with sewer.

No unauthorized 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 municipal wastewater facilities. Any person violating this provision shall be subject to immediate arrest and prosecution.

Article VI. Powers and Authority of Enforcement Officer.

§ 103-38 Right to make inspections.

Upon a lawful request and consent of the owner, or in accordance with a judicial order, the Enforcement Officer may inspect all parts of a premises for the purpose of inspection or sampling or in the performance of any of their duties. In such circumstance, the Village shall have the right to set up on the user's property such devices as are necessary to conduct sampling or metering operations. The Village may at reasonable times have access to and copy any records, inspect any monitoring equipment, or method required by the Village's wastewater discharge laws and sample any effluents which the owner or operator of such source is required to sample. Where a user has security measures in force, the user shall make necessary arrangements with their security guards (systems) so that upon presentation of suitable identification, personnel from the Village will be permitted to enter without delay, in accordance with the owners' consent or a judicial order.

§ 103-39 Information that may be obtained; withholding of confidential information.

The Enforcement Officer or any other duly authorized employee is authorized to obtain information concerning commercial and industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The owner of the property or the operator of the commercial or industrial business may withhold information considered confidential, provided the owner or operator can establish that the revelation to the public of the information in question might result in an advantage to competitors.

§ 103-40 Entry on easements.

The Enforcement Officer 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 purposes of, but not limited to, inspection, observation, measurement, sampling, repair, 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 duly negotiated easement pertaining to the private property involved.

§ 103-41 Cure by Village.

Whenever a condition exists in and upon any property in the Village which violates any of the provision of this chapter in such manner as to cause harm to the health and safety of the community and the owner or occupant thereof does not cure such condition within a reasonable time as determined by the Enforcement Officer, the Enforcement Officer may cause such conditions to be cured and the cost thereof shall be the responsibility of the property owner. If such cost is not paid when due, it shall be added to the tax bill for such property.

Article VII. Penalties

§103-42 Penalties for offenses.

Except where otherwise provided for in this Chapter, a violation of any provision of this chapter shall be punishable as set forth in §2-4 of the Village Code.

Article VIII. Injunctive Relief

§ 103-43 Additional injunctive relief.

Whenever a user has violated or continues to violate the provisions of this chapter or any permit or order issued hereunder, the Village may petition a court of appropriate jurisdiction for the issuance of a preliminary or permanent injunction restraining the violation of, or compelling the compliance with, any order or determination made by the Enforcement Officer.

Article IX. Effective Date

§ 103-44 Effective date.

This chapter shall take effect in accordance with Section 27 of the Municipal Home Rule Law.”

Section two. Any local law, ordinance, or resolution of the Village of Sea Cliff in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of this local law.

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

Section four. This local law shall take effect immediately upon adoption and filing of such law pursuant to the Municipal Home Rule Law.