

LOCAL LAW 3 OF 2015 –

Regulations for All Users of Wastewater Collection and Disposal Systems in the St. Armand Sewer District

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ST. ARMAND AS FOLLOWS:

Specific Table of Contents

Article 1 - Short Title and Purpose

Section 101 - Short Title
Section 102 - General Purpose
Section 103 - Specific Purposes

Article 2 – Definitions

Definitions
Section 201 - Defined Terms
Section 202 - Abbreviations
Section 203 - Undefined Terms

Article 3 - Use of Public Sewers Required

Section 301 - Waste Disposal Unlawful
Section 302 - Connecting Private Sewage System to Storm Sewer Unlawful
Section 303 - Discharge of Sewage into Well Prohibited
Section 304 - Wastewater Discharge Unlawful
Section 305 - Building Permit Allowed Only When Approved Wastewater Disposal Available
Section 306 - Private Wastewater Disposal Unlawful
Section 307 - Connection to Public Sewer Required
Section 308 - Limitation on Use of Public Sewers
Section 309 - Wastewater from Outside the POTW Service Area- Inter-municipal Agreements
Section 310 - Moratorium
Section 311 - Basis of Sewer Use Requirement

Article 4 - Private Wastewater Disposal

Section 401 - Public Sewer Unavailable - Private Wastewater Disposal Required
Section 402 - Connection of Two Buildings to the Same Septic Tank Prohibited
Section 403 - Construction Permit Application
Section 404 - Construction Permit
Section 405 - Preventing Nuisances - Rehabilitation Required
Section 406 - Sanitary Operation Required

Section 407 - Direct Connection to New Public Sewers Required
Section 408 - Additional Requirements

Article 5 - New Sewers or Sewer Extensions

Section 501 - Proper Design
Section 502A - New Sewers Subject to Approval, Fees, Inspection, Testing, and Reporting
Section 502B - Plans, Specification, and Pipe Test Results Required
Section 503A - Sewer Pipe
Section 503B - Safety and Load Factors
Section 503C - Sewer Pipe installation
Section 503D - Cleanout Installation
Section 504 - Manholes and Manhole Installation
Section 505A - Infiltration/Ex-filtration Testing
Section 505B - Test Section
Section 505C - Test Period
Section 505D - Pipe Lamping
Section 505E - Deflection Testing
Section 505F - Air Testing Alternative
Section 505G - Vacuum Testing Alternative
Section 506A - Force Mains
Section 506B - Force Main Testing
Section 507 - Final Acceptance and Warranty/Surety
Section 508 - Liability Insurance Coverage During Construction Period

Article 6 - Building Laterals, Street Laterals, Connections, and Fees

Section 601A - Permit Required for Sewer Connections
Section 601B - Inflow/Infiltration Prohibited
Section 602 - Sewer Lateral Permits
Section 603A - New Building Laterals
Section 603B - Laterals Serving Several Buildings
Section 603C - Laterals Serving Complexes
Section 603D - Dry Sewers
Section 604 - Using Existing Building Laterals
Section 605 - Lateral Pipe Materials
Section 606A - Street Lateral to Public Sewer Connection
Section 606B - Future Connection Locations; As-Built Drawings
Section 606C - Special Manhole Requirements
Section 607 - Laterals At and Near Buildings
Section 608 - Sewage Lifting
Section 609 - Lateral Pipe Installation
Section 610A - Watertight Joints
Section 610B - Cast Iron Pipe Poured Joints
Section 610C - Cast Iron Push Joints
Section 610D - PVC Push Joints

Section 611A - Building Lateral/Street Lateral Connection
Section 611B - Street Lateral Replacement; Ownership
Section 612 - Testing
Section 613A - Connection Inspection
Section 613B - Trench Inspections
Section 614 - Public Safety Provisions Required; Restoration of Disturbed Areas
Section 615 - Interior Clean-Out
Section 616 - Costs Borne by Owner

Article 7 - Inflow

Section 701 - New Inflow Sources Prohibited
Section 702 - Existing Inflow Sources Disconnected

Article 8 – Trucked or Hauled Waste

Section 801 - Restrictions

Article 9 - Discharge Restrictions

Section 901 – Standards
Section 902 – General Prohibitions
Section 903 - Modification of Limitations
Section 904 - Access to User's Records
Section 905 - Dilution
Section 906 - Grease, Oil, and Sand Interceptors
Section 907 - Solid Waste Grinders
Section 908 - Rejection of Wastewater

Article 10 - Enforcement and Penalties

Section 1000 - Enforcement
Section 1001 – Penalties and Civil Remedies
Section 1002 – Delinquent Payments
Section 1003 - Termination of Permit
Section 1004 - Water Supply Severance
Section 1005 - Show Cause Hearing
Section 1006 - Failure of User to Petition the Town Board
Section 1007 – Notice
Section 1008 - Injunctive Relief
Section 1009 - Summary Abatement

Article 11 – Charges

Section 1101 - Normal Sewage Service Charges
Section 1102 - Segmenting the POTW
Section 1103 - Measurement of Flow
Section 1104 - Billing Period
Section 1105 - Collection of Charges

Section 1106 - Fiscal Year for System
Section 1107 - Impact Fees
Section 1108 - Use of Revenues
Section 1109 - Records and Accounts

Article 12 - Public Disclosure of POTW Operations

Section 1201 - POTW Operations Open to the Public
Section 1202 - Procedural Requirements Available
Section 1203 - Validity through Public Inspection

Article 13 - Conflicts, Severability, Effective Date and Applicability

Section 1301 - Conflicts
Section 1302 - Severability
Section 1303 - Effective Date
Section 1304 - Applicability

Article 1

Short Title and Purpose
Section 101 - Short Title
Section 102 - General Purpose
Section 103 - Specific Purposes

Section 101 - Short Title

For brevity and ease of communication, this Law may be cited as the Town of St. Armand Sewer Use Law.

Section 102 - General Purpose

The general purpose of this Law is the following:
To provide for efficient, economic, environmentally safe, and legal operation of the Town of St. Armand Publicly Owned Treatment Works (POTW).

Section 103 - Specific Purposes

The specific purposes of this Law are the following:

- (1) To prevent the introduction of substances into the POTW that will:
1. interfere with the POTW in any way,
 2. pass through the POTW to the state's waters and cause contravention of standards for those waters or cause violation of the POTW's SPDES permit,
 3. increase the cost or otherwise hamper the disposal of POTW sludge and/or residuals,
 4. endanger municipal employees,
 5. cause air pollution, or groundwater pollution, directly or indirectly,
 6. cause, directly or indirectly, any public nuisance condition.

- (2) To prevent new sources of infiltration and inflow and, as much as possible, eliminate existing sources of infiltration and inflow.
- (3) To assure that new sewers and connections are properly constructed.
- (4) To provide for equitable distribution to all users of the POTW of all costs, associated with sewage transmission, treatment, and residuals disposal, and to provide for the collection of such costs.

Article 2

Definitions

Section 201 - Defined Terms

Section 202 - Abbreviations

Section 203 - Undefined Terms

Section 201 - Defined Terms-

Unless otherwise stated in the section where the term is used in this Law, the meaning of terms used in this Law shall be as stated below. When not inconsistent with the context, the present tense shall include the future, and words used in the plural shall include the singular and vice versa. Furthermore, a masculine pronoun shall include the feminine. Shall is mandatory; may is permissive.

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

Administrator - The Regional Administrator of the U. S. Environmental Protection Agency (USEPA), Region 2.

Ammonia - The result obtained, using an approved laboratory procedure, to determine the quantity of ammonia in a sample, expressed as milligrams of nitrogen per liter.

Applicant - That person who makes application for any permit. The applicant may be an owner, new or old, or his agent.

Approval Authority - The USEPA, or the New York State Department of Environmental Conservation (NYSDEC), in the event the NYSDEC is delegated approval authority responsibility by the USEPA.

Approved Laboratory Procedure - The procedures defined as 'Standard Methods' in this article, or other procedures approved by the Superintendent, for flow measurement or determination of the concentration of pollutants or their surrogates in waters, wastewaters, and/or sludge's.

ASTM, denoting American Society for Testing and Materials - The latest edition of any ASTM specification, when stipulated in this Law.

BOD, denoting Biochemical Oxygen Demand - The result obtained when using an approved laboratory procedure to determine the quantity of oxygen utilized in the aerobic biochemical oxidation of organic matter or in a sample, expressed in milligrams per liter.

Builder - Any person who undertakes to construct a building or any part of a building, either under contract or for resale.

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 building walls, and conveys it to the building lateral, which usually begins five (5) feet outside the inner face of the building wall.

Chlorine Demand - The result obtained when using an approved laboratory procedure to determine the difference between the amounts of chlorine added to a sample and the amount of chlorine remaining in the sample at the end of a specified contact time at room temperature, expressed in milligrams per liter.

COD, denoting Chemical Oxygen Demand - The result obtained when using an approved laboratory procedure to measure the oxygen requirement of that portion of matter, in a sample, that is susceptible to oxidation, by a specific chemical oxidant, expressed in milligrams per liter.

Code Enforcement Officer (CEO) – The current CEO appointed by Resolution by the Town of St. Armand Board.

Color - The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

Composite Sample - The sample resulting from the combination of individual samples of wastewater taken at selected intervals, for a specified time period. The individual samples may have equal volumes or the individual volumes may be proportioned to the flow at the time of sampling.

Connection - Attachment of one user to a sewer. (See Extension)

Connection Charge (Tap Fee) - The one-time application fee to offset Town of St. Armand expenses to process an application for a connection of a building/street lateral to the public sewer. The fee also covers plan review, permit issuance, and inspection costs. The fee may be scaled to the amount of work involved, or to the size of the public sewer involved.

Control Authority - The term shall refer to "Approval Authority", or to the Sewer Superintendent when the St. Armand Water & Sewer District has an approved pretreatment program under the provisions of 40 CFR 403.11.

Control Manhole - A manhole accessible to the Control Authority in or upstream of the street lateral, such that samples collected from the manhole represent the discharge to the POTW.

Conventional Pollutant - A pollutant that the POTW treatment plant was designed to treat, defined in accordance with the Act.

Cooling Water - The water discharged from any system of condensation, air conditioning, refrigeration, or other sources. It shall contain no polluting substances which would produce COD or suspended solids in excess of five (5) milligrams per liter, or toxic substances, as limited elsewhere in this Law.

County - Essex County, in which the Town of St. Armand is located.

Developer - Any person who subdivides land for the purpose of constructing, or causing to be constructed, buildings for which wastewater disposal facilities are required.

Direct Discharge - The discharge of treated or untreated wastewater directly to the Waters of the State of New York. (For reference, see Indirect Discharge.)

Domestic Wastes - see Sewage, Domestic.

Dry Sewers - The sanitary sewer installed in anticipation of future connection to a POTW but which is not used, in the meantime, for transport of storm or sanitary sewage.

End of Pipe - For the purpose of determining compliance with limitations prescribed by Article 9, end of pipe shall mean the control manhole, provided the samples collected from the control manhole are representative of the discharge to the POTW.

End of Pipe Concentration - The concentration of a substance in a sample of wastewater at end of pipe.

End of Process Concentration - see National Categorical Pretreatment Standard.

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

EPA, USEPA, or U.S. Environmental Protection Agency - The agency of the federal government charged with the administration and enforcement of federal environmental laws, rules, and regulations. Also may be used as a designation for the Administrator or other duly authorized official of this Agency.

Extension - Attachment of a sewer line, which may have more than one user, to an existing sewer line.

Facility - All buildings, other structures, grounds and contiguous property at any locations related to or connected with a user at the user's location.

Floatable Oil - Oil, grease, or fat in a physical state such that it will separate by gravity from wastewater by treatment in a wastewater treatment facility.

Flow Rate - The quantity of liquid or waste that flows in a certain period of time.

Garbage - The solid wastes from the preparation, cooking, and dispensing of food, from the handling, storage, and sale of produce, and from the packaging and canning of food.

Grab Sample - A single sample of wastewater representing the physical, chemical, and biological characteristics of the wastewater at one point and time.

Highway Superintendent – the current Highway Superintendent elected by the constituents of the Town of St. Armand.

Indirect Discharge - The introduction of wastewater into a POTW for treatment and ultimate discharge of the treated effluent to the State's Waters. (For reference, see Direct Discharge).

Industrial - Meaning or pertaining to industry, manufacturing, commerce, trade, business, or institution, and is distinguished from domestic or residential.

Industrial User - See User, Industrial.

Industrial Wastes - The liquid or liquid-carried solid, liquid and/or gaseous wastes from industrial manufacturing processes, trade, service, utility, or business, as distinct from sanitary sewage.

Infiltration - Water, other than waste water that enters a sewer system (excluding building drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow. Infiltration is inadvertent, that is, not purposely designed or built into the sewer or drain.

Inflow - Water, other than wastewater, that enters a sewer system (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, foundation drains, swimming pools, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration. Inflow is purposely designed and/or built into the sewer or drain.

Interference - A discharge which, alone or in conjunction with discharges by other sources,

(a) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

(b) therefore is a cause of a violation of any requirement of the St. Armand POTW's SPDES permit (including an increase in the magnitude or duration of a

violation) or of the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued there under (or more stringent State or local regulations):

- i - Section 405 of the Clean Water Act,
- ii - the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act - RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D or the SWDA),
- iii - Clean Air Act,
- iv - Toxic Substance Control Act, and
- v - Marine Protection Research and Sanctuaries Act.

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 main to the property line.

National Categorical Pretreatment Standard, or Categorical Standard - Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (B) and (C) of the Act (22 U.S.C. 1347), which applies to a specific category of industrial users. These standards apply at the end of the categorical process ("end of process").

National Pollutant Discharge Elimination System (NPDES) Permit - A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

National Prohibitive Discharge Standard, or Prohibitive Discharge Standard - Any regulation developed under the authority of Section 307 (B) of the Act, and 40 CFR, Section 403.5.

Natural Outlet - Any outlet, including storm sewers and combined sewer overflows, to State's Waters.

New Owner - That individual or entity who purchased property within the Service Area of the St. Armand Water & Sewer District after the effective date of this law.

New Source - Any source, the construction of which is commenced after the publication of the proposed regulation prescribing a Section 307 (C) (33 U.S.C 1317) Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated.

New User - A discharger to the POTW who commences discharge after the effective date of this Law.

Normal Sewage - see Sewage, Normal.

Nuisance - The use or lack of use of the POTW in such a manner so as to endanger life or health, give offense to the senses, or obstruct or otherwise interfere with the reasonable use or maintenance of the POTW.

Oil and Grease - The result obtained when using an approved laboratory procedure to determine the quantity of fats, wax, grease, and oil, in a sample, expressed in milligrams per liter.

Old Owner - That individual or entity who owns or owned a property, within the Service Area of the POTW, purchased prior to the effective date of this Law, who or inherited the property at any time and intends to sell the property, or has sold the property to a new owner, also the agent of the old owner.

Other Wastes - Garbage (shredded or un-shredded), refuse, wood, egg shells, coffee grounds, sawdust, shavings, bark, sand, lime, ashes, and all other discarded matter not normally present in sewage or industrial wastes. Also, the discarded matter not normally present in sewage or industrial waste.

Pass Through - The discharge which exits the St. Armand POTW into waters of the State in quantities, which, alone or in conjunction with Discharges from other sources, is a cause of a violation of any requirement of the POTW's SPDES permit (including an increase in the magnitude or duration of a violation).

Permit - A Building Permit that is issued by the Code Enforcement Officer for construction of sewer laterals, mains or on-site treatment plans for residential and commercial use.

Person - Any individual, public or private corporation, political subdivision, Federal, State, or local agency or entity, association, trust, estate or any other legal entity whatsoever.

pH - The logarithm (base 10) of the reciprocal of the weight of hydrogen ions, in gram moles per liter of solution. A pH value of 7.0, the pH scale midpoint, represents neutrality. Values above 7.0 represent alkaline conditions. Values below 7.0 represent acid conditions.

Phosphorus, total - See total phosphorus.

Pollutant - Any material placed into or onto the State's waters, lands and/or airs, which interferes with the beneficial use of that water, land and/or air by any living thing at any time.

Pollution - The man-made or man-induced alteration of the chemical, physical, biological, and/or radiological integrity of the State's waters lands and/or airs resulting from the introduction of a pollutant into these media.

Pretreatment (Treatment) - The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature 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 process, process changes, or by other means, except as prohibited by 40 CFR, Section 403.6 (D).

Pretreatment Standard or National Pretreatment Standard - Any Categorical Standard or Prohibitive Discharge Standard.

Priority Pollutants - The most recently revised or updated list, developed by the EPA, in accordance with the Act.

Prohibitive Discharge Standard - see National Prohibitive Discharge Standard.

Properly Shredded 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, and with no particle having a dimension greater than one-half (1/2) inch in any dimension.

POTW Treatment Plant - That portion of the POTW designed to provide treatment to wastewater, and to treat sludge and residuals derived from such treatment.

Publicly Owned Treatment Works (POTW) - A treatment works, as defined by Section 212 of the Act, (33 U.S.C 1292), which is owned, in this instance, by Town of St. Armand, operating as the St. Armand Water & Sewer District. This definition includes any sewers and appurtenances that transport wastewater to the POTW treatment plant, but does not include pipes, sewers, or other conveyances not connected directly or indirectly to a facility providing treatment.

Receiving Waters - A natural water course or body of water (usually Waters of the State) into which treated or untreated sewage is discharged.

Records - Shall include, but not be limited to, any printed, typewritten, handwritten or otherwise recorded matter of whatever character (including paper or electronic media), including but not limited to, letters, files, memoranda, directives, notes and notebooks, correspondence, descriptions, telephone call slips, photographs, permits, applications, reports, compilations, films, graphs and inspection reports. For the purposes of this law, records shall mean records of and relating to waste generation, reuse and disposal, and shall include records of usage of raw materials.

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

Septage - All liquids and solids in and removed from septic tanks, holding tanks, cesspools, or approved type of chemical toilets, including but not limited to those serving private residences, commercial establishments, institutions, and industries. Also sludge from small sewage treatment plants. Septage shall not have been contaminated with substances of concern or priority pollutants.

Septic Tank - A private domestic sewage treatment system consisting of an underground tank (with suitable baffling), constructed in accordance with any and/or all local and State requirements.

Service Area of the POTW - The legally defined bounds of real property from which wastewater may be discharged into the POTW. The bounds shall be established, altered, changed, modified, reduced, enlarged, combined, or consolidated by action of the Town of St. Armand Board.

Sewage - A combination of the water-carried wastes from residences, business buildings, institutions, and such ground, surface, and storm water as may be inadvertently present. The admixture 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 non-commercial 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. Therefore, domestic sewage includes both black water and grey water. (See Sewage, Sanitary.)

Sewage, Normal - Sewage, industrial wastes, or other wastes, which show, by analysis, the following characteristics:

- B.O.D. (Five Day) - 2090 lbs. per million gallons (250 milligrams per liter), or less.
- Suspended Solids - 2500 lbs. per million gallons (300 milligrams per liter), or less.
- Phosphorus - 125 lbs. per million gallons (15 milligrams per liter), or less
- Ammonia - 250 lbs. per million gallons (30 milligrams per liter), or less.
- Total Kjeldahl Nitrogen - 417 lbs. per million (50 milligrams per liter), or less.
- Chlorine Demand - 209 lbs. per million gallons (25 milligrams per liter), or less.
- Chemical Oxygen Demand - 2920 lbs. per million gallons (350 milligrams per liter), or less.
- Oil and Grease - 830 lbs. per million gallons (100 milligrams per liter), or less

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

Sewage, Sanitary - Liquid wastes from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, or institutions, and free from storm water, surface water, industrial, and other wastes. (See Domestic Wastes.)

Sewage Treatment Plant (Water Pollution Control Plant) - see POTW Treatment Plant.

Sewage, Unusual Strength or Character - Sewage which has characteristics greater than those of Normal Sewage and /or which contains Substances of Concern.

Sewer - A pipe or conduit for carrying or transporting sewage.

Sewer, Combined - A sewer designed to receive and transport both surface runoff and sewage.

Sewer, Public - A sewer in which all abutting property owners within the St. Armand Water & Sewer District have equal rights, and the use of which is controlled by the Town of St. Armand Board.

Sewer, Sanitary - A sewer which carries sewage, and to which storm, surface, and groundwater's are not intentionally admitted.

Sewer, Storm (Storm Drain) - A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastewaters, other than cooling waters and other unpolluted waters.

Sewerage System (also POTW) - All facilities for collecting, regulating, pumping, and transporting wastewater to and away from the POTW treatment plant.

Sewerage Surcharge - The demand payment for the use of a public sewer and/or sewage treatment plant for the handling of any sewage, or other wastes accepted for admission thereto in which the characteristics thereof exceed the maximum values of such characteristics in normal sewage. (See Volume Charge.)

Significant Industrial User - see User, Significant Industrial.

Significant Non-Compliance (SNC) - A User is in significant non-compliance if its violation(s) meet(s) one or more of the following criteria:

- Chronic violations of wastewater discharge limits, defined here as those, in sixty-six (66) percent or more of all of the measurements taken during a six-month period, which exceed (by any magnitude) the daily maximum limit or average limit for the same pollutant parameter;
- Technical Review Criteria (TRC) violations, defined here as those, in which thirty-three (33) percent or more of all of the measurements for each pollutant parameter taken during a six-month period, which equal or exceed the product of the daily maximum limits multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease; TRC = 1.2 for all other pollutants);
 - Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the CEO's exercise of its emergency authority under Article 11 of this Law;

- Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- Failure to report accurately any non-compliance;
- Any other violation which the CEO or Town Board determines will adversely affect the implementation or operation of the local pretreatment program.

Slug - A substantial deviation from normal rates of discharge or constituent concentration (see normal sewage) sufficient to cause interference. In any event, a discharge which, in concentration of any constituent or in quantity of flow, that exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal user operations, shall constitute a slug.

Standard Methods - Procedures contained in the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, procedures established by the Administrator, pursuant to Section 304 (G) of the Act and contained in 40 CFR, Part 136, and amendments thereto. (If 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, then procedures set forth in EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants", April 1977, and amendments thereto, shall be used.), any other procedure approved by the Administrator, or any other procedure approved by the Superintendent, whichever is the most conservative.

State - State of New York.

State's Waters - See Waters of the State.

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

Substances of Concern - Those compounds which the New York State Department of Environmental Conservation has determined may be harmful to man or the environment.

Sump Pump - A mechanism used for removing water from a sump or wet well.

Superintendent - That individual nominated by the Town of St. Armand Supervisor and confirmed by the Town of St. Armand Board as the Superintendent of Wastewater. Such an individual shall be qualified to oversee

water treatment and distribution and POTW operations. This definition shall also include his authorized deputy, agent, or representative.

Suspended Solids - The result obtained, using an approved laboratory procedure, to determine the dry weight of solids, in a sample, that either float on the surface of, or are in suspension, or are settle able, and can be removed from the sample by filtration, expressed in milligrams per liter.

Total Kjeldahl Nitrogen (TKN) - The result obtained, using an approved laboratory procedure, to determine the quantity of ammonia in a sample and released during the acid digestion of organic nitrogen compounds, expressed as milligrams of nitrogen per liter.

Total Phosphorus - The result obtained, using an approved laboratory procedure, to determine the total quantity of orthophosphate, in a sample of wastewater, following the hydrolysis of phosphorus compounds, expressed as milligrams of phosphorus per liter of sample.

Town - The Town of St. Armand, as incorporated in 1903. The Village of Bloomingdale was dissolved on January 1, 1986; thereby the Town of St. Armand absorbed all aspects of the Village of Bloomingdale, including the Water and Sewer District and all appetencies thereof.

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

User - Any person who contributes, causes, or permits the contribution of wastewater into the POTW.

User, Existing - A discharger to the POTW who is discharging on or before the effective date of this Law.

User, Industrial - A discharger to the POTW who discharges non-domestic wastewaters.

User, New - A discharger to the POTW who initiates discharge after the effective date of this Law.

Volume Charge (User Charge) - The demand sewer use charge which is based, in part or wholly, on the volume of normal sewage discharged into the POTW (there may be surcharges, as provided for in Article 12). The volume charge shall be based on a specific cost per 100 cubic feet or per 1,000 gallons. The specific charge shall be subject to approval by the Town of St. Armand Board. The moneys so obtained shall be used for current operation and maintenance, for

retirement of bonded indebtedness, and for funding of capital projects, of the POTW. The basis of volume charge calculations shall be made available to the public, on demand, as provided in Article 13. The volume charge may be recalculated annually, as well as the surcharge rates.

Wastewater - The liquid and water-carried industrial or domestic wastewaters from dwellings, commercial establishments, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

Wastewater, Unusual Strength or Character - see Sewage, Unusual Strength or Character.

Waters of the State (State's Waters) - All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

Section 202 - Abbreviations

The following abbreviations shall have the designated meanings:

ANSI - American National Standards Institute
ASTM - American Society for Testing and Materials
AWWA - American Water Works Association
BOD - Biochemical Oxygen Demand
CFR - Code of Federal Regulations
CPLR - Code of Public Law and Rules
CEO – Code Enforcement Officer
COD - Chemical Oxygen Demand
EPA - Environmental Protection Agency
L - Liter
Mg - Milligram
Mg/l - Milligrams per liter
NCPI - National Clay Pipe Institute
NPDES - National Pollutant Discharge Elimination System
NYSDEC - New York State Department of Environmental Conservation
NYSDOH - New York State Department of Health
NYSDOT - New York State Department of Transportation
P - Total Phosphorus
PSI - Pounds per Square Inch
POTW - Publicly Owned Treatment Works
PPM - Parts per Million, weight basis
SIC - Standard Industrial Classification

SPDES - State Pollutant Discharge Elimination System
SWDA - Solid Waste Disposal Act, 42 U.S.C. 690 L, et seq.
U.S.C. - United State Code of Laws
USEPA - United State Environmental Protection Agency
TSS - Total Suspended Solids

Section 203 - Undefined Terms

Terms not defined in this article, or terms found to be ambiguous or improperly defined in this article, shall be defined by the Act, or Regulations, pursuant thereto.

Article 3

Use of Public Sewers Required

Section 301 - Waste Disposal Unlawful
Section 302 - Connecting Private Sewage System to Storm Sewer Unlawful
Section 303 - Discharge of Sewage into Well Prohibited
Section 304 - Wastewater Discharge Unlawful
Section 305 - Building Permit Allowed Only When Approved Wastewater Disposal Available
Section 306 - Private Wastewater Disposal Unlawful
Section 307 - Connection to Public Sewer Required
Section 308 - Limitation on Use of Public Sewers
Section 309 - Wastewater from Outside the POTW Service Area - Inter-municipal Agreements
Section 310 - Moratorium
Section 311 - Basis of Sewer Use Requirement

Section 301 - Waste Disposal Unlawful

It shall be unlawful for any person to place, deposit, or permit to be deposited, in any unsanitary manner, on public or private property, within the Town of St. Armand or in any area under the jurisdiction of the said municipality, any human or animal excrement, garbage, or objectionable waste. Also, no person shall discharge domestic sewage onto the surface of the ground or discharge it in a way that permits it to come to the surface of the ground.

Section 302 - Connecting Private Sewage system to Storm Sewer Unlawful

No person shall connect a private sewage system so that sewage flows into a storm sewer or into a drain intended exclusively for storm water.

Section 303 - Discharge of Sewage into Well Prohibited

No person shall discharge sewage into a well.

Section 304 - Wastewater Discharge Unlawful

It shall be unlawful to discharge to any natural outlet, within the Town of St. Armand, or in any area under the jurisdiction of the said municipality, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Law.

Section 305 - Building Permit Allowed Only When Approved Wastewater Disposal Available

No property owner, builder, or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities unless a suitable and approved method of wastewater disposal, conforming to this Law, is available. All housing construction or building development which takes place after this Law is enacted shall provide for an approved system of sanitary sewers.

Section 306 - Private Wastewater Disposal Unlawful

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

Section 307 - Connection to Public Sewer Required

The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town of St. Armand, 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 sewer, is hereby required, at the owner's expense, to install suitable sanitary facilities therein, and to connect such facilities directly with the proper public sewer, in accordance with the provisions of this law, within ninety (90) days after official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line.

The following underlined paragraph was added via Resolution 77 of 2021:

In 2021, the Town Board has considered adopting new updated Water & Sewer District boundaries in order to apply for grant funds to connect un-sewered streets. The new St. Armand Water & Sewer District is further defined by Map #61521 and the Metes & Bounds Description for Map #61521 which can be viewed in the office of the Town Clerk. The property owners that will be newly included in the Water & Sewer District will not be held to the requirements of Section 307, above, until such time as the St. Armand Wastewater District is able to connect each property/home to the sewer mains at no cost to the property owner. Further, the property owners who will be newly brought into the District will not be required to contribute to the Sewer Debt service until such time as public sewer is available to the subject parcel. Once new sewer mains are installed in the expansion areas, the property owners will be required to connect, per Section 307 above and all parcels will be charged sewer usage and sewer debt in accordance to the St. Armand Wastewater Rules & Regulations.

Section 308 - Limitation on Use of Public Sewers

The use of the Town of St. Armand public sewers shall be strictly limited and restricted, except as provided in Section 307, to receive and accept the discharge of sewage and other wastes discharged from real property within the bounds of the Service Area of the POTW.

Section 309 - Wastewater from Outside the POTW Service Area - Inter-municipal Agreements

The Town of St. Armand Board, on the recommendation of the Superintendent, shall have the authority to enter into agreements to accept sewage and other wastes generated by or discharged from persons outside the service area of the POTW.

If the person is a municipality, that municipality shall have enacted a Sewer Use Law as restrictive on the discharge of sewage and other wastes as the restrictions contained in this Law.

If the person is not a municipality the acceptance shall be made only with the expressed written consent of the Town Board setting forth the terms and conditions of such an acceptance.

Section 310 - Moratorium

At the recommendation of the Superintendent, who determines that:

- one or more segments of the POTW is exceeding its hydraulic capacity at any time
- any specific purpose of this Law is being violated

The Town of St. Armand Board shall have the authority to limit or deny new connections to the POTW until the conditions leading to the moratorium are corrected. Such correction may be by:

- construction of new facilities
- enlarging existing facilities
- correction of inflow and infiltration
- cleaning and repairing of existing facilities

Section 311 - Basis of Sewer Use Requirement

All requirements, directives, and orders calling for mandatory use of the sewers, within the Service Area of the POTW, for the proper discharge of sewage and other wastes shall be established and given by the Town of St. Armand Board,

NYSDEC, USEPA, and/or other such State or Federal agencies, which have enforcement powers.

Article 4 - Private Wastewater Disposal

Section 401 - Public Sewer Unavailable - Private Wastewater Disposal Required

Section 402 - Connection of Two Buildings to the Same Septic Tank Prohibited

Section 403 - Construction Permit Application

Section 404 - Construction Permit

Section 405 - Preventing Nuisances - Rehabilitation Required

Section 406 - Sanitary Operation Required

Section 407 - Direct Connection to New Public Sewers Required

Section 408 - Additional Requirements

Section 401 - Public Sewer Unavailable - Private Wastewater Disposal Required

Where a public sewer is not available, under the provisions of Section 304, the building lateral shall be connected to a private wastewater disposal system complying with the provisions of the Rules and Regulations of the NYSDOH, to be enforced by the Superintendent, and/or the NYSDOH.

The following underlined paragraph was added via Resolution 77 of 2021:

Once the Water & Sewer District Boundaries have been adopted (during 2021), no new private septic systems may be installed within the St. Armand Water & Sewer District Boundaries without a Resolution of Approval from the Town Board. Property owners who wish to install a private septic system must submit an application to the Code Enforcement Officer for approval. The Code Enforcement Officer will provide the Town Board Members a copy of the building permit and septic permit application and will make recommendations to the Town Board. In order for a new septic permit to be issued, the Town Board must approve, by Resolution, the application for a new septic system. A copy of the Resolution must be filed with the Building Permit application and the property owner must be given a copy of the Resolution for their records.

Section 402 - Connection of Two Buildings to the Same Septic Tank Prohibited

No two separate permanent buildings, where the intended use for either is for a distinct and separate business or a dwelling place for a private family or families, shall be connected to the same individual septic tank and tile absorption field.

Section 403 - Construction Permit Application

A completed application form, containing results of percolation tests, computations, and a plot plan, including the design and cross-section of the wastewater disposal system, in relation to lot lines, adjacent and on-site well or water supply, and buildings, shall be submitted to the Town of St. Armand CEO. A fee, established document entitled St. Armand Building Permit Fee Schedule, shall accompany the application. The wastewater disposal system shall be

designed by a professional engineer, licensed surveyor, or architect, and shall be in accordance with the NYSDOH - "Standards for Waste Treatment Works", or NYSDEC "Standards for Commercial and Institutional Facilities", as appropriate.

Section 404 - Construction Permit

A written construction permit shall be obtained from the Code Enforcement Officer before construction commencement. The Superintendent, Code Enforcement Officer, or his designated representative, shall be permitted to inspect the construction work at any stage, without prior notice.

Section 405 - Preventing Nuisances - Rehabilitation Required

When the liquid or liquid-borne effluent from a private wastewater disposal system enters any watercourse, ditch, storm sewer, or water supply system, located in the Town of St. Armand, in such a manner, volume, and concentration so as to create a hazardous, offensive, or objectionable condition, in the opinion of the CEO or the NYSDOH, the owner of the premises upon which such wastewater disposal system is located, upon receiving written notice from the Code Enforcement Officer, to do so, shall, within ninety (90) days, after receipt of such notice, repair, rebuild, or relocate such wastewater disposal system for the purpose of eliminating such hazardous, offensive, or objectionable conditions. The repair, rebuilding, or relocation of the system shall be accomplished in accordance with the rules and regulations of the NYSDOH, at the owner's expense.

Section 406 - Sanitary Operation Required

The owner shall operate and maintain the private wastewater disposal system in a satisfactory manner at all times, at the owner's expense.

Section 407 - Direct Connection to New Public Sewers Required

At such time that a public sewer becomes available to a property, a direct connection shall be made to the public sewer, in compliance with this Law, and any cesspool, septic tank, and similar wastewater disposal facilities shall be cleaned of septage, by a licensed septage hauler, and finally either filled with clean sand, bank-run gravel, or dirt, or removed and properly disposed. When the connection is made to the public sewer, the connection to the private wastewater disposal facility shall be broken and both ends of the break shall be plugged, as appropriate. Alternatively, the septic tank effluent may be piped or pumped to the sewer; the owner shall provide an easement to the septic tank for septage removal.

Section 408 - Additional Requirements

No statement in this Article shall be construed to prevent, or interfere with, any additional requirements that may be deemed necessary by the CEO, to protect public health and public welfare.

Article 5 - New Sewers or Sewer Extensions

Section 501 - Proper Design

Section 502A - New Sewers Subject to Approval, Fees, Inspection, Testing, and Reporting

Section 502B - Plans, Specification, and Pipe Test Results Required

Section 503A - Sewer Pipe

Section 503B - Safety and Load Factors

Section 503C - Sewer Pipe installation

Section 503D - Cleanout Installation

Section 504 - Manholes and Manhole Installation

Section 505A - Infiltration/Ex-filtration Testing

Section 505B - Test Section

Section 505C - Test Period

Section 505D - Pipe Lamping

Section 505E - Deflection Testing

Section 505F - Air Testing Alternative

Section 505G - Vacuum Testing Alternative

Section 506A - Force Mains

Section 506B - Force Main Testing

Section 507 - Final Acceptance and Warranty/Surety

Section 508 - Liability Insurance Coverage During Construction Period

Section 501 - Proper Design

New sanitary sewers mains and all extensions to sanitary sewers mains owned and operated by the St. Armand Water & Sewer District shall be designed, by a professional licensed to practice sewer design in the State, in accordance with the Recommended Standards for Sewage Works, as adopted by the Great Lakes - Upper Mississippi River Board of State Sanitary Engineers ("Ten State Standards"), and in strict conformance with all requirements of the NYSDEC. Plans and specifications shall be submitted to, and written approval shall be obtained from the Code Enforcement Officer and the NYSDEC, before initiating any construction. The design shall anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.

If, however, there is inadequate capacity in any sewer which would convey the wastewater or if there is insufficient capacity in the POTW treatment plant to treat the wastewater properly, the application shall be denied. Sewer line and POTW treatment plant current use shall be defined as the present use and the unutilized use which has been committed, by resolution, to other users by the Town of St. Armand Board.

Section 502 A - New Sewers Subject to Approval, Fees, Inspection, Testing, and Reporting

When a property owner, builder, or developer proposes to construct sanitary sewers mains or extensions to sanitary sewers mains in an area proposed for subdivision, the plans, specifications, and method of installation shall be subject to the approval of the CEO in accordance with Section 501. Said property owner, builder, or developer shall pay for the entire installation, including a proportionate share of the treatment plant, intercepting or trunk sewers, pumping stations, force mains, laterals, and all other-St. Armand Water & Sewer District expenses incidental thereto. Each street lateral shall be installed and inspected pursuant to Article 6, and inspection fees shall be paid by the applicant prior to initiating construction. Design and installation of sewers shall be as specified in Section 503, and in conformance with Paragraphs 3 through 6 of ASTM Specification C-12. The installation of the sewer shall be subject to periodic inspection by the Superintendent, or Code Enforcement Officer, without prior notice. The Superintendent or CEO shall determine whether the work is proceeding in accordance with the approved plans and specifications, and whether the completed work will conform to the approved plans and specifications. The sewer, as constructed, must pass the infiltration test (or the ex-filtration test, with prior approval), required in Section 505, before any building lateral is connected thereto. The Superintendent and CEO shall be notified 30 days in advance of the start of any construction actions so that such inspection frequencies and procedures as may be necessary or required, may be established. No new sanitary sewers will be accepted by the Town of St. Armand Board until such construction inspections have been made so as to assure the Town of St. Armand Board of compliance with this Law and any amendments or additions thereto. The Superintendent and CEO has the authority to require such excavation as necessary to inspect any installed facilities if the facilities were covered or otherwise backfilled before they were inspected so as to permit inspection of the construction. The Superintendent and CEO shall report all findings of inspections and tests to the Town of St. Armand Board.

Section 502 B - Plans, Specification, and Pipe Test Results Required

Plans, specifications, and methods of installation shall conform to the requirements of this Article. Components and materials of wastewater facilities not covered in this Law, such as pumping stations, lift stations, or force mains shall be designed in accordance with Section 501, and shall be clearly shown and detailed on the plans and specifications submitted for approval. Force main details are covered in Section 506. When requested, the applicant shall submit, to the Superintendent and CEO, all design calculations and other pertinent data to supplement review of the plans and specifications. Results of manufacturer's tests on each lot of pipe delivered to the job site shall also be furnished, upon request.

Section 503 A - Sewer Pipe

1) Sewer pipe material shall be:

- Reinforced Concrete Pipe (Note that non-reinforced concrete pipe shall not be used.)
 - Portland cement shall conform to ASTM C-150 Type II.
 - The pipe and specials shall conform to ASTM Specification C-76.
 - The reinforcing wire cage shall conform to ASTM Specification A 15, A 82, or A 185, as appropriate.
 - Entrained air shall be 5.0% to 9.0% by ASTM C-890.
 - Water absorption and three-edge bearing tests shall conform to ASTM Specification C-497.
 - Gaskets shall conform to Sections 3.3 and 3.4 of AWWA Specification C-302.
- Cast Iron Pipe - Extra Heavy
 - Pipe, fittings, and specials shall conform to the requirements of ASTM Specification A-74 or ANSI A-21.11.
 - Gaskets shall conform to ASTM Specification C-564.
- Polyvinyl Chloride (PVC) Pipe - Heavy Wall
 - Pipe shall be made from Class 12454-B materials or better in accordance with ANSI/ASTM Specification D-1784.
 - Pipe and accessories shall conform to the requirements of the following, with a minimum pipe stiffness of 46.
 - PSI at a maximum deflection of five percent (5%).
 - ANSI/ASTM D 3034 (4" - 15")
 - ASTM F 679 Type I (18" - 27")
- Ductile Iron Pipe
 - Pipe, fittings, and specials shall be manufactured in accordance with ASTM Specification A-746.
 - Pipe shall have a minimum thickness of Class 50.
 - Fittings shall conform to ANSI Specification A-21.11 and have a minimum pressure class rating of 150 PSI.
 - All pipe and fittings shall be cement mortar lined in accordance with ANSI Specification A-21.4 at twice the specified thickness, and have an internal and external bituminous seal coating.

- Closure pieces shall be joined by means of a mechanical coupling of the cast sleeve type.
- Acrylonitrile-Butadiene-Styrene (ABS) Pipe
 - Pipe and fittings shall conform to the requirements of ASTM Specification D2661.
- Other pipe materials
 - Other pipe materials require prior written approval of the Superintendent before being installed.
 - the minimum internal pipe diameter shall be eight (8) inches for gravity sewers and three (3) inches for low pressure sewers.
 - Joints for the selected pipe shall be designed and manufactured such that "O" ring gaskets of the "Snap-On" type are used.
 - Gaskets shall be continuous, solid, natural or synthetic rubber, and shall provide a positive compression seal in the assembled joint, such that the requirements of section 505 are met.
 - Joint preparation and assembly shall be in accordance with the manufacturer's recommendations.
 - Wye branch fittings, as approved by the Superintendent, shall be installed, for connection of street laterals, in accordance with Section 606.

Section 503 B - Safety and Load Factors

Selection of pipe class shall be predicated on the following criteria:

Safety factor - 1.5

Load factor - 1.7

Weight of soil - 120 lbs./cu. ft.

Wheel loading - 16,000 lbs.

Utilizing the foregoing information, design shall be made as outlined in Chapter IX of the Water Pollution Control Federation Manual of Practice No. 9, latest edition, "Design and Construction of Sanitary and Storm Sewers", and the pipe shall have sufficient structural strength to support all loads to be placed on the pipe, with a safety factor as specified above.

PVC pipe shall not be encased in concrete due to their different coefficients of linear thermal expansion.

Section 503 C - Sewer Pipe Installation

(1) Local utilities shall be contacted to verify construction plans and to make arrangements to disconnect all utility services, where required to undertake the construction work. The utility services shall later be reconnected. The work shall be scheduled so that there is minimum inconvenience to local residents. Residents

affected by such disconnections shall be provided with written, minimum 7-day notice regarding disconnection of utilities.

(2) The construction right-of-way shall be cleared only to the extent needed for construction. Clearing consists of removal of trees which interfere with construction, removal of underbrush, logs, and stumps, and other organic matter, removal of refuse, garbage, and trash, removal of ice and snow, and removal of telephone and power poles, and posts. Any tree which will not hinder construction shall not be removed, and shall be protected from damage by any construction equipment. Debris shall not be burned, but hauled for disposal in an approved manner.

(3) The public shall be protected from personal and property damage as a result of the construction work.

(4) Traffic shall be maintained at all times in accordance with applicable highway permits. Where no highway permits are required, at least 1/2 of a street shall be kept open for traffic flow.

5) Erosion control shall be performed throughout the project to minimize the erosion of soils onto lands or into waters adjacent to or affected by the work. Erosion control can be effected by limiting the amount of clearing and grubbing prior to trenching, proper scheduling of the pipe installation work, minimizing time of open trench, prompt grading and seeding, and filtration of drainage.

(6) The trench shall be excavated only wide enough for proper installation of the sewer pipe, manhole, and appurtenances. Allowances may be made for sheeting, de-watering, and other similar actions to complete the work. Roads, sidewalks, and curbs shall be cut, by sawing or by other methods as approved by the Superintendent, CEO, and St. Armand Highway Superintendent, before trench excavation is initiated.

(7) Under ordinary conditions, excavation shall be by open cut from the ground surface. However, tunneling or boring under structures other than buildings may be permitted. Such structures include crosswalks, curbs, gutters, pavements, trees, driveways, and railroad tracks.

(8) Open trenches shall be protected at all hours of the day with barricades, as required.

(9) Trenches shall not be open for more than 30 feet in advance of pipe installation nor left unfilled for more than 30 feet in the rear of the installed pipe, when the work is in progress, without permission of the Superintendent, CEO and Highway Superintendent. When work is not in progress, including overnight, weekends, and holidays, the trench shall be backfilled to ground surface.

(10) The trench shall be excavated approximately six (6) inches deeper than the final pipe grade. When unsuitable soils are encountered, these shall be excavated

to a maximum depth of 2-1/2 feet below the final pipe invert grade and replaced with select materials.

(11) Ledge rock, boulders, and large stones shall be removed from the trench sides and bottom. The trench shall be over-excavated at least 12 inches for five (5) feet, at the transition from rock bottom to earth bottom, centered on the transition.

(12) Maintenance of grade, elevation, and alignment shall be done by some suitable method or combination of methods.

(13) No structure shall be undercut unless specifically approved by the Superintendent, CEO and Highway Superintendent.

(14) Proper devices shall be provided, and maintained operational at all times, to remove all water from the trench as it enters. At no time shall the sewer line be used for removal of water from the trench.

(15) To protect workers and to prevent caving, shoring and sheeting shall be used, as needed. Caving shall not be used to backfill the trench. Sheeting shall not be removed but cut off no lower than one foot above the pipe crown nor no higher than one foot below final grade, and left in the trench, during backfill operations.

(16) The pipe barrel shall be supported, along its entire length, on a minimum of six (6) inches of crusher run max. 1/2 inch stone free of organic material. This foundation shall be firmly tamped in the excavation.

(17) Bell holes shall be hand excavated, as appropriate.

(18) Pipe shall be laid from low elevation to high elevation. The pipe bell shall be up-gradient; the pipe spigot shall be down-gradient.

(19) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.

(20) The grade and alignment shall be checked and made correct. The pipe shall be in straight alignment. Any negotiation of curves shall be at manholes, except when site conditions require alternative pipe laying procedures. These alternative procedures, including bending the pipe barrel, deflecting the joint, and using special fittings, shall require prior written approval of the plans and also written confirmation approval of need by the Superintendent after examination of the site conditions.

(21) When a smaller sewer joins a larger one the invert of the larger sewer shall be lowered sufficiently to maintain the same hydraulic gradient. An approximate method which may be used for securing this result is to place the 0.8 depth of both sewers at the same elevation.

(22) Crushed stone shall be placed over the laid pipe to a depth of at least six (6) inches. The embedment of thermoplastic pipe shall be in accordance with ASTM D2321 using class 1A or 1B backfill materials. Care shall be exercised so that stone is packed under the pipe haunches. Care shall be exercised so that the pipe is not moved during placement of the crushed stone.

(23) The migration of fines from surrounding backfill or native soils shall be restricted by gradation of embedment materials or by use of suitable filter fabric.

(24) The remaining portion of the trench above the pipe embedment shall be backfilled in foot lifts which shall be firmly compacted. Compaction near/under roadways, driveways, sidewalks, and other structures shall be to 95 % of the maximum moisture-density relationship, as determined by ASTM Specification D 698, Method D. Ice, snow, or frozen material shall not be used for backfill.

Section 503 D - Cleanout Installation

(1) Cleanouts for low pressure sewers shall be placed at intervals of approximately 400 to 500 feet, at major changes of direction, where one collection main joins another main and at the upstream end of each main branch.

(2) The design of the cleanouts shall be as approved by the Superintendent and CEO.

Section 504 - Manholes and Manhole Installation

(1) Design of all manholes shall be submitted to the Superintendent and CEO and shall receive approval prior to placement.

(2) Manholes shall be placed where there is a change in slope or alignment, and at intervals not exceeding 400 linear feet except as authorized by the Superintendent and CEO.

(3) Manhole bases shall be constructed or placed on a minimum of six (6) inches of crusher run max. 1/2 inch stone free of organic materials.

(4) Manhole bases shall be constructed of 4,000 psi (28 day) concrete 8 inches thick, or shall be precast bases properly bedded in the excavation. Field constructed bases shall be monolithic, properly reinforced, and extend at least 6 inches beyond the outside walls of lower manhole sections. Precast manhole bases shall extend at least 6 inches beyond the outside walls of lower manhole sections.

(5) Manholes shall be constructed using precast minimum 4-foot diameter concrete manhole barrel sections, and an eccentric top section, conforming to ASTM Specification C-478 and the design of such manhole shall be signed and stamped by a Professional Engineer.

All sections shall be cast solid, without lifting holes.

Flat top slabs shall be capable of supporting an H-20 loading.

(6) All joints between sections shall be sealed with an "O" ring rubber gasket, meeting the same specifications as pipe joint gaskets, or butyl joint sealant completely filling the joint.

(7) All joints shall be sealed against infiltration. All metal parts shall be thickly coated with bit mastic or elastomeric compound to prevent corrosion.

(9) No holes shall be cut into the manhole sections closer than 6 inches from joint surfaces.

10) Manholes which extend above grade shall not have an eccentric top section. The top plate shall be large enough to accommodate the cover lifting device and the cover.

(11) The elevation of the top section shall be such that the cover frame top elevation is 0.5 foot above the 100-year flood elevation (in a field), 0.5 foot above a lawn elevation, or at finished road or sidewalk grade.

(12) When located in a travelled area (road or sidewalk), the manhole frame and cover shall be heavy duty cast iron. When located in a lawn or in a field, the manhole frame and cover may be light duty cast iron. The cover shall be 24 inches, minimum, in diameter. The minimum combined weight of the heavy duty frame and 24-inch cover shall be 735 +/- 5% lbs. The minimum combined weight of the light duty frame and 24-inch cover shall be 420 +/- 5% lbs. The mating surfaces shall be machined, and painted with tar pitch varnish. The cover shall not rock in the frame. Infiltration between the cover and frame shall be prevented by proper design and painting. Covers shall have "Sanitary Sewer" cast into them. Covers shall have lifting holes suitable for any lifting/jacking device. The lifting holes shall be designed so that infiltration is prevented.

(13) A drop of at least 0.1 foot shall be provided between incoming and outgoing sewers on all junction manholes and on manholes with bends greater than 45 degrees.

(14) Inverts and shelves/benches shall be placed after testing the manholes and sewers.

(15) Benches shall be level and slope to the flow channel at about 1 inch per foot.

(16) The minimum depth of the flow channel shall be the nominal diameter of the smaller pipe. The channel shall have a steel trowel finish. The flow channel shall have a smooth curvature from inlet to outlet.

(17) Manhole frames, installed at grade, shall be set in a full bed of mortar with no less than two or more than four courses of brick underneath to allow for later

elevation adjustment, or other such appropriate course as instructed by CEO. In lieu of brick, grade rings may be used for elevation adjustment. Grade rings shall not exceed 6 inches in depth. The total number of grade rings shall not exceed 12 inches in height; however, in no event shall more than 3 grade rings be used without direct approval of CEO.

(18) Manholes which extend above grade shall have the frames cast into the manhole top plate. The top plate shall be securely anchored to the manhole barrel, by a minimum of six 1/2-inch corrosion resistant anchor bolts, to prevent overturning when the cover is removed. The anchor bolts shall be electrically isolated from the manhole frame and cover.

(19) Internal drop pipes and fittings shall be PVC plastic sewer pipe in compliance with ASTM D2241. Corrosion resistant anchors shall be used to attach the drop pipe to the inside surface of the manhole barrel.

Section 505 A - Infiltration/Ex-filtration Testing

All sanitary sewers or extensions to sanitary sewers, including manholes, shall satisfy requirements of a final infiltration test before they will be approved and wastewater flow permitted by the Town of St. Armand Board. The infiltration rate shall not exceed 25 gallons per 24 hours per mile per nominal diameter in inches. An ex-filtration test may be substituted for the infiltration test; the same rate shall not be exceeded. The ex-filtration test shall be performed by the applicant, under the supervision of the Superintendent or CEO, who shall have the responsibility for making proper and accurate measurements required. The ex-filtration test consists of filling the pipe with water to provide a head of at least 5 feet above the top of the pipe or 5 feet above groundwater, whichever is higher, at the highest point under test, and then measuring the loss of water, from the pipe section under test, by the amount of water which must be added to maintain the original level. However, under no circumstances shall the head at the downstream manhole exceed ten (10) feet or fill to within six (6) inches of the top of the downstream manhole. Should this condition prevail, the testing methods in Sections 504 F and/or 504 G shall be utilized. In this test, the test section must remain filled with water for at least 24 hours prior to taking any measurements. Ex-filtration shall be measured by the drop of water level in a standpipe with a closed bottom end, or in one of the sewer manholes serving the test section. When a standpipe and plug arrangement is used in the upper manhole in the test section, there shall be some positive method for releasing entrapped air prior to taking any measurements.

Section 505 B - Test Section

The test section shall be as ordered or as approved, but in no event longer than 1,000 feet. In the case of sewers laid on steep grades, the test length may be limited by the maximum allowable internal pressure on the pipe and joints at the lower end of the test section. For purposes of determining the leakage rate of the test section, manholes shall be considered as sections of 48-inch diameter pipe, 5 feet long. The maximum allowable leakage rate for such a section is 1.1 gallons

per 24 hours. If leakage exceeds the allowable rate, then necessary repairs or replacements shall be made, and the section retested.

Section 505 C - Test Period

The test period, during which the test measurements are taken, shall not be less than two (2) hours.

Section 505 D - Pipe Lamping

Prior to testing, the section shall be lamped. Any length of pipe out of straight alignment shall be realigned.

Section 505 E - Deflection Testing

Also prior to testing, all plastic pipes, in the test section, shall be tested for deflection. Deflection testing shall involve the pulling of a rigid ball or mandrel, whose diameter is 95 percent of the pipe inside diameter, through the pipe. Any length of pipe with a deflection greater than 5 percent shall be replaced. The test section shall be flushed just prior to deflection testing. The test shall not be performed with a mechanical pulling device.

Section 505 F - Low Pressure Air Testing Alternative

In lieu of hydrostatic testing (ex-filtration or infiltration), low pressure air testing may be employed. Low pressure air tests shall conform to ASTM Specification C 828. All sections to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing. Air shall be added until the internal pressure of the test section is raised to approximately 4.0 PSIG. The air pressure test shall be based on the time, measured in seconds, for the air pressure to drop from 3.5 PSIG to 2.5 PSIG.

Acceptance is based on limits tabulated in the "Specification Time Required for a 1.0 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice for Low-Pressure Air Testing of Installed Sewer Pipe".

Before pressure is applied to the line all connections shall be firmly plugged. Before the test period starts, the air shall be given sufficient time to cool to ambient temperature in the test section.

If the test section is below groundwater, the test pressure shall be increased by an amount sufficient to compensate for groundwater hydrostatic pressure; however, the test pressure shall not exceed 10 PSI, or a lower pressure as required by the Superintendent or CEO.

The pressure test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the Superintendent prior to testing.

Section 505 G - Vacuum Testing Alternative

In lieu of hydrostatic testing (ex-filtration or infiltration), vacuum testing may be employed for testing of sewer lines and manholes. Sewer lines and manholes shall be tested separately. All sewer lines to be tested shall be cleaned and flushed, and

shall have been backfilled, prior to testing. The vacuum test shall be based on the time, measured in seconds, for the vacuum to decrease from 10 inches of mercury to 9 inches of mercury for manholes, and from 7 inches of mercury to 6 inches of mercury for sewers.

Acceptance of manholes is based on the following example:

Manhole Depth	Manhole Diameter	Time to Drop 1 inch Hg (10"to9")
10 ft or less	4 ft	120 seconds
10 ft to 15 ft	4 ft	150 seconds
15 ft to 25 ft	4 ft	180 seconds

For 5 ft diameter manholes, add 30 seconds to the times above.

For 6 ft diameter manholes, add 60 seconds to the times above.

If the test on the manhole fails (the time is less than that tabulated above), necessary repairs shall be made and the vacuum test repeated, until the manhole passes the test.

Acceptance of sewers (7" Hg to 6" Hg) is based on the time tabulated in the "Specification Time Required for a 0.5 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice For Low-Pressure Air Testing of Installed Sewer Pipe".

The vacuum test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the Superintendent or CEO prior to testing.

Section 506A - Force Mains

Force mains serving sewage lifting devices, such as grinder pumps and pump stations, shall be designed in accordance with Section 501. Additional design requirements are:

(1) Force main pipe material shall be:

(a) Ductile Iron Pipe

Pipe shall conform to ANSI A21.51. The minimum wall thickness shall be Class 52 (ANSI A21.50). The pipe shall be clearly marked with either "D" or "DUCTILE". Fittings shall conform to ANSI A21.10.

Pipe and fittings shall be furnished with push-on joints conforming to ANSI A21.11.

Pipe and fittings shall be cement mortar lined and have an internal and external bituminous seal coating.

(b) Polyvinyl Chloride (PVC) Plastic Pipe

Pipe shall conform to ASTM D2241. Materials used in the manufacture of PVC pipe shall meet ASTM c1784. The minimum wall thickness shall be SDR-21. Fittings shall conform to ASTM D2241. Joints and gaskets shall conform to ASTM D2241, D1869, and F477.

(c) Other pipe materials

Other pipe materials require prior written approval of the Superintendent before being installed.

- (2) Trenching, bedding, and backfilling shall be in accordance with Section 503 C.
- (3) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.
- (4) Anchorages, concrete blocking, and/or mechanical restraint shall be provided when there is a change of direction of 7-1/2 degrees or greater.
- (5) Drain valves shall be placed at low points.
- (6) Automatic air relief valves shall be placed at appropriate high points on level force main runs.
- (7) Air relief and drain valves shall be suitably protected from freezing.
- (8) When the daily average design detention time, in the force main, exceeds 20 minutes, the manhole and sewer line receiving the force main discharge or the sewage shall be treated so that corrosion of the manhole and the exiting line are prevented. The corrosion is caused by sulfuric acid biochemically produced from hydrogen sulfide an-aerobically produced in the force main.
- (9) The force main shall terminate, in the receiving manhole, at a PVC plastic sewer pipe "T". The vertical arms of the "T" shall be twice the diameter of the force main. The upper arm shall be at least 4 feet long; the lower arm shall terminate in a PVC plastic sewer pipe 90-degree elbow in a flow channel directed to the manhole exit pipe. The "T" and its arms shall be securely fastened to the inside surface of the manhole wall using corrosion resistant anchors.

Section 506B - Force Main Testing

All force mains shall be subjected to hydrostatic pressure of 150 percent of the normal operating pressure. The duration of the test, at pressure, shall be at least 2 hours. Before conducting the test, the pipe shall be filled with water and all air shall be expelled. During the test, water shall be added, as needed, to maintain the test pressure. The amount of water added shall be recorded so as to calculate leakage. Leakage shall not exceed 25 gallons per day per mile per inch nominal pipe diameter. During the test, the owner and the Superintendent shall walk the

route of the force main and examine the exposed pipe and the ground covering any backfilled pipe to discover leaks. Leakage in excess of that specified above shall be corrected with new material at the owner's expense and the test repeated. Any observed leaks shall be repaired at the owner's expense. Each test section length shall be as approved by the Superintendent, but in no event longer than one thousand (1,000) feet.

Section 507 - Final Acceptance and Warranty/Surety

All sanitary sewers mains and extensions to sanitary sewers mains constructed at the applicant's expense, after final approval and acceptance by the Superintendent and CEO, and concurrence by the Town of St. Armand Board, shall become the property of the Town of St. Armand, and shall thereafter be operated and maintained by the Town of St. Armand. No sanitary sewer mains shall be accepted by the Town of St. Armand until four (4) copies of as-built drawings have been so filed with the Town Clerk and the Superintendent and CEO has approved the submitted drawings. Said sewer mains, after their acceptance by the Town of St. Armand Board, shall be guaranteed against defects in materials or workmanship for one (1) year, by the applicant. The guarantee shall be in such form and contain such provision as deemed necessary by the Town of St. Armand Board, secured by a surety bond or such other security as the Town of St. Armand Board may approve.

Section 508 - Liability Insurance Coverage During Construction Period

(1) All contractors engaged in connecting house laterals with sanitary sewers mains, who perform any work within the Right of Way of any highway, shall file a bond in the amount of Five Thousand Dollars (\$5,000.00) with the Town of St. Armand Clerk to indemnify the Town of St. Armand against loss, cost, damage or expense sustained or recovered on account of any negligence, omission or act of the applicant for such a permit, or any of his, or their agents arising or resulting directly or indirectly by reason of such permit or consent, or of any act, construction or excavation done, made or permitted under authority of such permit or consent. All bonds shall contain a clause that permits given by the Town of St. Armand Code Enforcement Officer may be revoked at any time for just cause.

2) Before commencing work, the above contractor shall file insurance certificates with the Town of St. Armand Clerk for the following:

(a) Workman's Compensation and Employer's Liability Insurance as required by the laws of the State covering the contractor;

(b) Commercial General Liability having limits of not less than \$250,000.00 each occurrence and \$500,000.00 aggregate (completed operations/products, personal injury);

(c) Property Damage Liability having limits of not less than \$500,000.00 for all damages arising during the life of the contract; and shall include, but not be limited to, the following designated hazards:

- i - Premises and Operations;
- ii - Independent Contractors;
- iii - Completed operations and products;
- iv - Property Damage; and
- v - Explosions, collapse and underground;

(d) Automobile Liability Coverage (including non-owned and hired automobiles) having limits of not less than:

- i - Bodily injury - each person, \$250,000.00
or split, for each occurrence, \$500,000
- ii - Property damage - each occurrence, \$500,000

(f) Every 30 days, contractor must provide a new, valid certificate of insurance confirming coverage and amounts as required above.

(g) The minimum insurance limits stated above shall be subject to periodic review by the Town of St. Armand Board and adjustments made, by resolution, as appropriate.

(3) Where it is necessary to enter upon or excavate any highway or cut any pavement, sidewalk or curbing, permission must be obtained from the Superintendent of Highways if a Town of St. Armand Highway is involved, from the County Department of Public Works if a County Highway is involved, and/or the New York State Department of Transportation if a State Highway is involved.

(4) The minimum insurance limits above shall be as established by the Town of St. Armand Board and shall be subject to periodic review and adjustment, as appropriate, by the Town of St. Armand Board.

Article 6 - Building Laterals, Street Laterals Connections, and Fees

Section 601A - Permit Required for Sewer Connections

Section 601B - Inflow/Infiltration Prohibited

Section 602 - Sewer Lateral Permits

Section 603A - New Building Laterals

Section 603B - Laterals Serving Several Buildings

Section 603C - Laterals Serving Complexes

Section 603D - Dry Sewers

Section 604 - Using Existing Building Laterals

Section 605 - Lateral Pipe Materials

Section 606A - Street Lateral to Public Sewer Connection

Section 606B - Future Connection Locations; As-Built Drawings

Section 606C - Special Manhole Requirements

Section 607 - Laterals At and Near Buildings
Section 608 - Sewage Lifting
Section 609 - Lateral Pipe Installation
Section 610A - Watertight Joints
Section 610B - Cast Iron Pipe Poured Joints
Section 610C - Cast Iron Push Joints
Section 610D - PVC Push Joints
Section 611A - Building Lateral/Street Lateral Connection
Section 611B - Cleanout Repair/Replacement
Section 611C - Street Lateral Replacement; Ownership
Section 612 - Testing
Section 613A - Connection Inspection
Section 613B - Trench Inspections
Section 614 - Public Safety Provisions Required; Restoration of Disturbed Areas
Section 615 - Interior Clean-Out
Section 616 - Costs Borne by Owner

Section 601 A - Permit Required for Sewer Connections

No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Code Enforcement Officer.

Section 601 B - Inflow/Infiltration Prohibited

No person shall discharge or cause to be discharged any storm cooling water or unpolluted industrial waters to any sanitary sewer. Swimming pool drains shall not be connected to any sanitary sewer.

Section 602 - Sewer Lateral Permits

There shall be one class of sewer lateral permits:

(1) For residential and commercial services.

(2)-A permit application shall be submitted to the Code Enforcement Officer. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent, in the judgment of the Superintendent or CEO. A fee, for residential and commercial users as established by the Town of St. Armand Board, shall accompany the application.

Connections to existing manholes shall be made as directed by the Superintendent and CEO.

Section 603 A - New Building Laterals

A separate and independent building lateral shall be provided for every building requiring sanitary facilities. When, however, there is a building behind a front building, the second building may use the front building's building lateral, if there is no other way to provide sanitary service to the back building.

New street laterals and/or building laterals shall not go under building basements. In like fashion, a building shall not be constructed over an existing lateral; the lateral shall be relocated after the Superintendent and CEO has approved plans showing the relocation. If relocation is not physically possible then the lateral shall be:

- (1) exposed and totally encapsulated in not less than three inches of concrete, or
- (2) exposed and walled and the building rooms above positively ventilated outdoors.

All existing manholes in or under the basement shall be sealed air-tight in a manner acceptable to the Superintendent and CEO. No new manholes shall be constructed on the portion of the lateral under the building.

Section 603 B - Laterals Serving Several Buildings

When building laterals are to serve multiple dwelling structures, the building lateral shall be sized in accordance with the metered water use and with sound professional engineering judgment.

Section 603 C - Laterals Serving Complexes

Where a lateral sewer is to serve a complex of commercial, institutional, or dwelling structures, special design of the building lateral system shall be required. Such lateral sewer shall be connected to the public sewer through a manhole. The Superintendent and CEO shall determine if and where this connection to the public sewer is required. If required, a new manhole shall be installed in the public sewer pursuant to Section 503 D and 1007 and the lateral connection made and tested as directed by the Superintendent and CEO. Plans and specifications shall be prepared and submitted for approval pursuant to this Law.

Section 603 D - Dry Sewers

Dry Sewers shall be designed and installed in accordance to this Law.

Section 604 - Using Existing Building Laterals

Existing building laterals may be used in connection with new buildings only when they are found, on examination by the Superintendent and CEO, to meet all requirements of this local Law.

Section 605 - Lateral Pipe Materials

Building and street lateral pipe materials shall be one of the following, or other CEO approved material:

- 1) Tar-coated, service grade, cast iron soil pipe conforming to ASTM Specification A-74, "Cast Iron Pipe and Fittings". All dimensions, weight and markings of the pipe shall conform to the requirements of ANSI, Designation A112.5.1, except spigot ends shall be "plain end", if gasket joints are used.
- (2) Polyvinyl chloride (PVC) pipe and fittings conforming to ASTM Specification D-3034-73, "SDR-35 Polyvinyl Chloride (PVC) Sewer Pipe and Fittings". All

pipes shall be suitable for gravity sewer service. Provisions shall be made for contraction and expansion at each joint with a rubber ring. The bell shall consist of an integral wall section stiffened with two PVC retainer rings which securely lock the solid cross-section ring into position. Minimum "Pipe Stiffness" (F/Y) at five percent (5%) deflection shall be 46 PSI when tested in accordance with ASTM Specification D-2412.

Any part of the building or street lateral that is located within five (5) feet of a water main or water service may be constructed of cast iron soil pipe. Cast iron soil pipe may be required by the Superintendent and CEO where the building or street lateral is likely to be damaged by tree roots. If installed on fill or unstable ground, the building or street lateral shall be of cast iron soil pipe, although other pipe material may be permitted if such pipe is uniformly supported on a poured concrete cradle approved by the Superintendent and CEO. The distance between consecutive joints, as measured along the centerline of the installed pipe, shall not be less than ten (10) feet, except under abnormal circumstances, in which case this dimension may be diminished, if approved by the Superintendent and CEO. The size and slope of building and street laterals shall be subject to approval by the Superintendent, but in no event shall the internal pipe diameter be less than 4 inches, nor shall the pipe slope be less than 1/4 inch per foot.

The street lateral shall include a full port curb stop with flow-through diameter equal to that of the lateral. A curb box shall be installed.

Section 606 A - Street Lateral to Public Sewer Connection

At the point of connection of a street lateral to a main sewer, a standard wye fitting and sufficient one-eighth (45 degree) bend fittings shall be used. The wye fittings shall be installed so that flow in the "arm" shall transition smoothly into the flow in the public sewer. No lateral connection shall be made to the public sewer which permits the flow into the public sewer from the lateral to enter at right angles.

The inside diameter of the fittings shall be same diameter as the street lateral inside diameter.

Section 606 B - Future Connection Locations; As-Built Drawings

The street lateral, including the wye and eighth bend fittings, shall be connected to the main sewer at the time of constructing the main sewer, for each proposed lot for either immediate or future development. Laterals installed for future development shall be fitted a standard plug approved for use by the Superintendent and CEO. All sewer connections shall be via a properly installed saddle on the main sewer pipe. No portion of the lateral pipe shall protrude into the main sewer pipe. The location of all lateral connections shall be field marked with a 2 inch by 6-inch corrosion and rot resistant board. The marker board shall extend from the depth of the lateral to a minimum of two (2) feet above grade. The location of all lateral connections shall be indicated on a drawing with a minimum of three (3) tie lines indicated. Four (4) copies of this drawing, showing

the as-built location of these connections, shall be furnished to the Superintendent and CEO. A refundable deposit shall be placed with Town of St. Armand Clerk to assure receipt of these as-built. The deposit shall be placed when application is made; the amount of the deposit shall be \$100 per sheet of plans showing locations of lateral connections. No sanitary sewer shall be accepted by Town of St. Armand Board until four (4) copies of this record drawing have been so filed with the Town Clerk and the Superintendent and CEO has approved the submitted drawings.

Section 606 C - Special Manhole Requirements

When any street lateral is to serve a school, hospital, or similar institution, or public housing, or is to serve a complex of buildings, or which, in the opinion of the Superintendent or CEO, will receive wastewater of such volume or character that frequent maintenance of said building or street lateral is anticipated, then such street lateral shall be connected to the public sewer through a manhole. The Superintendent and CEO shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Superintendent and CEO. If required, a new manhole shall be installed in the public sewer pursuant to Sections 504 and 1007, and the lateral connection made thereto as directed by the Superintendent and CEO.

Section 607 - Laterals At and Near Buildings

Building laterals laid parallel to a bearing wall shall not be installed closer than three (3) feet to such wall. The building lateral shall enter the basement through the basement wall no less than twelve (12) inches above the basement floor. In no event shall any building lateral be placed below the basement floor, except with the expressed written approval of the CEO.

The building lateral shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Changes of direction of 90 degrees or greater shall be made with a cleanout which extends to grade, terminating in a terminal box set in concrete. In building laterals, said cleanouts shall be provided such that the maximum distance between cleanouts is 75 feet. The ends of all building or street laterals, which are not connected to the interior plumbing of the building, for any reason, shall be sealed against infiltration by a suitable stopper, plug, or by other approved means.

Section 608 - Sewage Lifting

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such drain shall be lifted by mechanical means and discharged to the building lateral, on approval of the Superintendent and CEO.

Section 609 - Lateral Pipe Installation

All excavations required for the installation of a building or street lateral shall be open trench work unless otherwise approved by the Superintendent and CEO.

Pipe laying and backfilling, regardless of pipe material used, shall be performed in general accordance with paragraphs 3 through 6 of ASTM Specification C-12, except that trench width, measured at the top of the installed pipe, shall not exceed the outside pipe diameter plus 14 inches and, except that no backfill shall be placed until the work has been inspected. The depth of cover over the pipe shall be sufficiently insulated to afford protection from frost, but not in any case shall such depth be less than four (4) feet. Where it is physically impossible to provide cover of four (4) feet, the depth may be reduced to a minimum of two (2) feet and the pipe shall be insulated, as approved by the Superintendent and CEO. If such lack of depth is unable to be achieved when installing such sewer lines, the St. Armand Water & Sewer District will not be liable to repair, unthaw or replace these lines if they become frozen.

Section 610 A - Watertight Joints

All joints and connections shall be made watertight.

Section 610 B - Cast Iron Pipe Poured Joints

Poured joints for cast iron pipe shall be firmly packed with oakum or hemp or other such material as approved by the CEO, and the annulus filled with an approved compound not less than 1 inch deep. The said compound shall be run in with a single pouring, and caulked tight, if appropriate for the compound used. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved. The transition joint between cast iron pipe and other pipe materials shall be made with special adapters and jointing materials approved by the Superintendent and CEO. If such joints are hot-poured, the material shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of 160 degrees F, nor be soluble in any of the wastes carried by the lateral.

Section 610 C - Cast Iron Push Joints

Pre-molded gaskets may be used for hub and plain end cast iron pipe joints and joints with fittings, if approved by the Superintendent and CEO. The gasket shall be a neoprene compression-type unit which provides a positive seal in the assembled joint. The gasket shall be pre-molded, one-piece unit, designed for joining the cast iron hub and plain end soil pipe and fittings. The assembled joint shall be sealed by compression of the gasket between the exterior surface of the spigot and the interior surface of the hub. The joint shall be assembled following the manufacturer's recommendations using acceptable lubricant and special pipe-coupling tools designed for that purpose. The plain spigot end shall be forced into the hub end of the pipe for the full depth of the hub itself. Lubricant shall be a bland, flax-base, non-toxic material, and shall not chemically attack the gasket material.

Section 610 D - PVC Push Joints

Joints for PVC sewer pipe shall follow the manufacturer's recommendations, using properly designed couplings and rubber gaskets pursuant to the published

information relating thereto, and conforming to the applicable ASTM specification identified in Section 605.

Section 611 A - Building Lateral/Street Lateral Connection

(1) The connection of the building lateral to an existing street lateral shall be made at the property line. Except as provided under in this Law, if a street lateral has not previously been provided, the street lateral will be constructed from the existing public sewer main to the property line, by a licensed plumber, at the owner's expense. The street lateral shall be installed with a properly sealed and covered clean-out to grade located at the property line. The clean-out shall terminate in a metal box imbedded in concrete, or such other structure as approved by Superintendent and CEO

(2) The cost of constructing the street lateral from the existing public sewer main to the property line shall be at the property owner's expense; all subsequent costs and expense incidental to the installation and connection of the building lateral shall also be borne by the owner.

(3) The property owner shall indemnify the Town of St. Armand from any loss or damage that may directly or indirectly be occasioned by the installation of the building lateral.

4) It shall be the responsibility of the property owner to maintain, repair, or replace the building lateral, as needed.

(5) The method of connection of the building lateral to the street lateral to the sewer main will be dependent upon the type of sewer pipe material, and, in all cases, shall be approved by the Superintendent and CEO.

Section 611 B - Street Lateral Replacement; Ownership

Any existing street lateral which, upon examination by the Superintendent, CEO or Highway Superintendent, or in case of failure, is determined to be in need of replacement, shall be replaced with a new street lateral with a property line clean-out. The cost of constructing the replacement street lateral and clean-out shall be at the property owner's expense. Street laterals are the property of the property owner, or as stated by St. Armand Water & Sewer District Rules and Regulations document; which is frequently updated.

Section 612 - Testing

The street lateral, building lateral, or the combined lateral shall be tested for infiltration/ex-filtration by:

- (a) any full pipe method described in Section 505, or
- (b) by a suitable joint method, with the prior written approval of the Superintendent.

Section 613 A - Connection Inspection

The applicant for the building lateral permit shall notify the Superintendent and

CEO when the building lateral is ready for inspection and connection is to be made to the street lateral. The connection shall be made under the supervision of the Superintendent and/or CEO.

The applicant for the street lateral permit shall notify the Superintendent and CEO when the street lateral is ready for inspection and connection is to be made to the main sewer. The connection shall be made under the supervision of the Superintendent and/or CEO.

Section 613 B - Trench Inspections

When trenches are excavated for the laying of building lateral pipes or for laying of street lateral pipes, such trenches shall be inspected by the Superintendent and CEO. Before the trenches are backfilled, the person performing such work shall notify the Superintendent and CEO when the laying of the building lateral is completed, and no backfilling of trenches shall begin until approval is obtained from the Superintendent and CEO.

Section 614 - Public Safety Provisions Required; Restoration of Disturbed Areas

All excavations for constructing building laterals shall be adequately protected 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 Superintendent, CEO or Highway Superintendent. When installation requires disturbance of paved public roads and shoulders, restoration shall involve backfilling to road grade. Shortly thereafter the Town of St. Armand Highway Department shall complete road and shoulder restoration to the Town of St. Armand Standards. The cost for such final road and shoulder restoration by the Town of St. Armand Highway Department shall be billed directly to the homeowner. If payment is not received within 60 days, such bill shall be submitted to the Essex County Treasurer's Department for inclusion on the current year's tax relevy.

Section 615 - Interior Clean-Out

An interior clean-out fitting shall be provided for each building lateral at a readily accessible location, preferably just inside the basement wall. The fitting shall contain a 45-degree branch with removable plug or test tee, and so positioned that sewer cleaning equipment can be inserted therein to clean the building lateral.

The cleanout diameter shall be no less than the building lateral diameter.

Section 616 - Costs Borne by Owner

All costs associated with the provisions of this Article shall be borne by the property owner unless specifically stated or agreed to be a cost borne by the St. Armand Water & Sewer District. The property owner shall indemnify the Town of St. Armand from any loss or damage that may be directly or indirectly occasioned by the installation of the building and street laterals, and connections and appurtenances.

Article 7 - Inflow

Section 701 - New Inflow Sources Prohibited

Section 702 - Existing Inflow Sources Disconnected

Section 701 - Inflow

No connections shall be made to a sanitary or to a combined sewer which connections are intended to discharge inflow. Such prohibited connections include, but are not limited to, footing drains, roof leaders, roof drains, cellar drains, sump pumps, catch basins, uncontaminated cooling water discharges, or other sources of inflow.

Section 702 - Existing Inflow Sources Disconnected

Existing connections which contribute inflow to the sanitary sewers must be disconnected in a fashion approved by the Superintendent and CEO.

ARTICLE 8 – Trucked or Hauled Waste

Section 801 - Restrictions

The discharge of trucked or hauled wastes into the St. Armand sewer system and public sewers tributary thereto shall not be permitted.

Article 9 - Discharge Restrictions

Section 901 - Standards

Section 902 - General Prohibitions

Section 903 - Modification of Limitations

Section 904 - Access to User's Records

Section 905 - Dilution

Section 907 - Grease, Oil, and Sand Interceptors

Section 908 - Solid Waste Grinders

Section 909 - Rejection of Wastewater

Section 901 - Standards

All users of the Town of St. Armand POTW will comply with all standards and requirements of the Act and standards and requirements promulgated pursuant to the Act, including but not limited to 40 CFR Parts 406 - 471.

Section 902 - General Prohibitions

No user shall contribute or cause to be contributed, in any manner or fashion, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to National Categorical Pretreatment Standards, or any other National, State, or Local Pretreatment Standards or Requirements.

Without limiting the generality of the foregoing, a user may not contribute the following substances to the POTW:

(1) Any solids, liquids, or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause a fire or an explosion or be injurious, in any way, to the POTW, or to the operation of the POTW. At no time shall both of two successive readings on a flame type explosion hazard meter, at the point of discharge into the system (or at any other point in the system) be more than 25 % nor any single reading be more than 40 % of the lower explosive limit (LEL) of the meter. Unless explicitly allowable by a written permit, prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, carbides, hydrides, and sulfides, and any other substance which the Town of St. Armand, the State, or the EPA has determined to be a fire hazard, or hazard to the POTW.

(2) Solid or viscous substances which may cause obstruction to the flow in a sewer or otherwise interfere with the operation of the wastewater treatment facilities. Unless explicitly allowable by a written permit, such substances include, but are not limited to, grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing fuel or lubricating oil, mud, or glass or stone grinding or polishing wastes.

(3) Any wastewater having a pH less than 5.0 or greater than 10.0, unless the POTW was specifically designed to manage such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or POTW personnel.

(4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants (including heat), to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard.

A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(A) of the Act.

(5) Any noxious or malodorous solids, liquids, or gases which either singly or by interaction with other wastes are sufficient to create a public nuisance or a hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repair.

(6) Oils and grease - Any commercial, institutional, or industrial wastes containing fats, waxes, grease, or oils which become visible solids when the wastes are cooled to ten (10) degrees centigrade (50 degrees Fahrenheit); any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in excess of 100 mg/l or in amounts that will cause interference or pass through.

- (7) Any wastewater which will cause interference or pass through.
- (8) Any wastewater with objectionable color which is not removed in the treatment process, such as, but not limited to, dye wastes, and vegetable tanning solutions.
- (9) Any solid, liquid, vapor, or gas having a temperature higher than 65 degrees C (150 degrees F); however, such materials shall not cause the POTW treatment plant influent temperature to be greater than 40 degrees C (104 degrees F). The Superintendent and/or CEO reserves the right, in certain instances, to prohibit or limit the discharge of wastes whose maximum temperatures are lower than 65 degrees C.
- (10) Unusual flow rate or concentration of wastes, constituting slugs.
- (11) Any wastewater containing any radioactive wastes.
- (12) Any wastewater which causes a hazard to human life or which creates a public nuisance, either by itself or in combination, in any way, with other wastes.
- (13) Any wastewater with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR Part 261.21.
- (14) Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

Section 903 - Modification of Limitations

Limitations on wastewater strength contained in this Law may be supplemented with more stringent limitations when, in the opinion of the Superintendent and/or CEO:

- (1) The limitations in this Law are not sufficient to protect the POTW,
- (2) The limitations in this Law are not sufficient to enable the POTW treatment plant to comply with applicable water quality standards or the effluent limitations specified in the POTW's SPDES permit,
- (3) The POTW sludge will be rendered unacceptable for disposal or reuse as the St. Armand Sewer District desires, as a result of discharge of wastewaters at the above prescribed concentration limitations,
- (4) Municipal employees or the public will be endangered, or
- (5) Air pollution and/or groundwater pollution will be caused.

The limitations on wastewater strength shall be recalculated not less frequently than once every five (5) years. The results of these calculations shall be reported to the Town of St. Armand Board. This Law shall then be amended appropriately.

Section 904 - Access to User's Records

The Superintendent and CEO shall have the authority to copy any record related to wastewater discharges to the POTW.

Section 905 - Dilution

Except where expressly authorized to do so, no user shall ever increase the use of process water or, in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with this Law.

Dilution flow shall be considered to be inflow.

Section 906 - Grease, Oil, and Sand Interceptors

Grease, oil, and sand interceptors shall be provided, when, in the opinion of the Superintendent, they are necessary for the proper handling of wastewater containing excessive amounts of grease, flammable substances, sand, or other harmful substances; except that such interceptors shall not be required for private living quarters or living units. All interceptors shall be of type and capacity approved by the Superintendent and CEO and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the owner, at his expense.

Section 907 - Solid Waste Grinders

Solid waste grinders at or serving commercial establishments shall not discharge into the Town of St. Armand POTW if there is a combined sewer overflow (CSO) on the sewer lines conveying the waste to the POTW treatment plant.

Section 908 - Rejection of Wastewater

The Town of St. Armand Board may reject a User's wastewater, on recommendation of the Superintendent and/or CEO, when it is has been determined that the wastewater contains substances or possesses characteristics which have a deleterious effect on the POTW and its processes, or on the receiving water, or which constitute a public nuisance or hazard.

Article 10 – Enforcement and Penalties

Section 1000 - Enforcement

The Superintendent and/or his/her designee shall have the responsibility of enforcing the provisions of this Law. Where a violation of said provisions is found, the Code Enforcement Officer shall notify the alleged offender by written notice of the nature of the violation, and prescribes a period of time not to exceed thirty (30) days within which the specified violation must be corrected, where appropriate. Such period of time may be extended by the Town Board.

If the violation is not corrected with the period specified in said notice, the CEO may take such action as provided in Section 1102 of this Law.

Section 1001 – Penalties and Civil Remedies

A violation of the provision of this Law is an offense, and upon conviction each such violation may be punished by a fine not less than fifty (\$50.00) dollars and not exceeding two hundred fifty (\$250.00) dollars. Each day constitutes a separate violation. In lieu of, or in addition to, such fine, each such violation shall be subject to a civil penalty, not exceeding three hundred (\$300.00) for any one case, to be recovered in an action or proceeding brought by the Town Attorney in the name of the St. Armand Sewer District in a Court having competent jurisdiction to compel compliance with, or restrain by injunction, any violation of this Law, notwithstanding the provision hereof for a penalty or other punishment.

Where any violation of this Law causes damage or additional expense to the Town, the Town shall have a cause of action against the violator to recover such damage or additional cost including all costs of collection and attorney's fees. The cause of action may be asserted at the discretion of the CEO, and shall be in addition to the fine, penalty, and injunction herein above provided, and shall be brought by the Town of St. Armand attorney in the name of the Town of St. Armand in a Court having competent jurisdiction.

Any person who knowingly makes any false statements, representations, records, reports, plans, or other documentation filed with the municipality or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Law, shall upon conviction, be punished by a fine of not more than \$300.00 dollars.

Section 1002 – Delinquent Payments

If there shall be any payments which are due to the St. Armand Water & Sewer District, or any Department thereof, pursuant to any Article or Section of this Law, which shall remain due and unpaid, in whole or in part, for a period of thirty (30) calendar days from the date of billing by the St. Armand Water & Sewer District, the same shall constitute a default, and late fees shall be calculated pursuant to the document titled St. Armand Water & Sewer Regulations, as adopted and amended from time to time by the Town of St. Armand Board. A copy of said documents is on file and available for review with the Town of St. Armand Clerk.

In the event that there are any user charges, taxes, assessments, or other service charges which shall have been delinquent for a period of at least sixty (60) calendar days as of November 1 of any year, the Water & Sewer Clerk shall report the names of the defaulting persons to the Town of St. Armand Supervisor, on or before November 10 of the same year. The St. Armand Water & Sewer Clerk is hereby directed to add the entire amount which shall be in default, plus penalty and interest, as provided for in this Law, to the real property taxes due and owing to the Town of St. Armand in the next succeeding year, and the Town of St. Armand is directed to collect the same in the same manner as real property taxes due and owing to the Town of St. Armand are collected.

Where the charges are delinquent, the Town of St. Armand Board may also direct the Town of St. Armand attorney to seek recovery of charges against the user, including all costs of collection, attorney fees and punitive damages, in a court of competent jurisdiction.

Section 1003 - Termination of Permit

Any User who violates the following conditions of this Law or a building permit or administrative order, or any applicable or State and Federal law, is subject to permit termination: (1) Violation of permit conditions or conditions of an administrative order, (2) Failure to accurately report the wastewater dispensing system, (3) Failure to report significant changes in operations of wastewater dispensing systems, (4) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling, or (5) Failure to pay administrative fines, fees or user charges. The User may, within fifteen (15) calendar days of the date the Code Enforcement Officer mails such notification, petition the St. Armand Town Board to permit continued use of the POTW by the user. Such petition shall be in written form and shall be transmitted to the Town Board by registered mail. The Town Board shall then: (1) Reject any frivolous petitions, (2) Order the petitioner to show cause in accordance with Section 1107 and may as part of the show cause notice request the User to supply additional information.

Section 1004 - Water Supply Severance

Whenever a User has violated or continues to violate the provisions of this Law or an order or permit issued hereunder, water service to the User may be severed and service will only recommence, at the User's expense, after it has satisfactorily demonstrated its ability to comply. The User may, within fifteen (15) calendar days of severance, petition the Town Board to reconnect water supply service. Such petition shall be in written form and shall be transmitted to the Town Board by registered mail. The Town Board shall then: 1) Reject any frivolous petitions, (2) Reconnect the water supply, or (3) Order the petitioner to show cause in accordance with this Law and may as part of the show cause notice request the User to supply additional information.

Section 1005 - Show Cause Hearing

The Town Board may order any User appealing administrative remedies for violations of this Law to show cause, before the Town Board, why an enforcement action, initiated by the CEO, should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held by the Town Board regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause before the Town Board why the proposed enforcement action should not be taken. The notice of the hearing shall be served at least ten (10) calendar days before the hearing in accordance with this Law. Service shall be made on any principal or executive officer of a User's establishment or to any partner in a User's establishment. The notice of the hearing shall be served at least ten (10) calendar

days before the hearing, in accordance with this Law. The Town Board may itself conduct the hearing, or may designate any of its members or any officer or employee of the Town of St. Armand to conduct the hearing:

- (1) Issue, in the name of the Town Board, notices of hearings requesting the attendance and testimony of witnesses, and the production of evidence relevant to any matter involved in such hearings,
- (2) Take the evidence,
- (3) Take sworn testimony,
- (4) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Town Board for action thereon. After the Town Board has reviewed the evidence and testimony, it may order the user to comply with the CEO's order, modify the CEO's order, or vacate the CEO's order.

Section 1006 - Failure of User to Petition the Town Board

In the event the Town Board issues any administrative order or terminates the User's permit, and the User fails, within the designated period of time set forth, to petition the Town Board, as provided in appropriate sections of this article, the User shall be deemed in default and its rights to contest the administrative order shall be deemed waived.

Section 1007 - Notice

The notices, orders, petitions, or other notification which the User or Town Board shall desire or be required to give pursuant to any sections of this Law shall be in writing and shall be served personally or sent by certified mail or registered mail, return receipt requested, postage prepaid, and the notice, order, petition, or other communication shall be deemed given upon its mailing as provided herein. Any notice, administrative order, or communication mailed to the User pursuant to the sections of this Law shall be mailed to the User where the User's effluent is discharged into transmission lines to the Town's POTW. Any notice, petition, or other communication mailed to the Town Board shall be addressed and mailed to the Town of St. Armand Board, PO Box 338, Bloomingdale, NY 12913.

Section 1008 - Additional Injunctive Relief

Whenever a User has violated or continues to violate the provisions of this Law or permit or order issued hereunder, the CEO, through counsel may petition the Court, in the name of the Town, for the issuance of a preliminary or permanent injunction or both (as may be appropriate) which restrains the violation of, or compels the compliance with any order or determination there under by the CEO.

Section 1009 - Summary Abatement

Notwithstanding any inconsistent provisions of this Law, whenever the CEO finds, after investigation, that any User is causing, engaging in, or maintaining a condition or activity which, in the judgment of the CEO, presents an imminent danger to the public health, safety, or welfare, or to the environment, or is likely to result in severe damage to the POTW or the environment, and it therefore appears to be prejudicial to the public interest to allow the condition or activity to

go unabated until notice and an opportunity for a hearing can be provided, the CEO may, without prior hearing, order such User by notice, in writing wherever practicable or in such other form as practices are intended to be proscribed, to discontinue, abate, or alleviate such condition or activity, and thereupon such person shall immediately discontinue, abate, or alleviate such condition or activity; or where the giving of notice is impracticable, or in the event of a User's failure to comply voluntarily with an emergency order, the CEO may take all appropriate action to abate the violating condition. As promptly as possible thereafter, not to exceed fifteen (15) calendar days, the CEO shall provide the User an opportunity to be heard, in accordance with the provisions of this Article.

The CEO, acting upon the belief that an emergency exists, shall be indemnified against any personal liability that may arise in the performance of his duties to protect the public health, safety, or welfare, or to preserve the POTW or the environment.

Article 11 - Charges

- Section 1101 - Sewage Service Charges
- Section 1102 - Segmenting the POTW
- Section 1103 - Measurement of Flow
- Section 1104 - Billing Period
- Section 1105 - Collection of Charges
- Section 1106 - Fiscal Year for System
- Section 1107 - Impact Fees
- Section 1108 - Use of Revenues
- Section 1109 - Records and Accounts

Section 1101 - Sewage Service Charges

All persons discharging or depositing wastes into the public sewers shall pay a sewer service charge proportional to the liquid volume of waste so deposited, which charge shall be collected as a sewer rent. Such rent shall be calculated pursuant to the amounts set forth in document titled St. Armand Water & Sewer Regulations, as adopted and amended from time to time by the Town of St. Armand Board. A copy of said document is on file and available for review with the Town of St. Armand.

Section 1102 - Segmenting the POTW

The service area of the POTW may be segmented to assist in a fair distribution of user charges, especially if there is a pump station serving a segment.

Section 1103 - Measurement of Flow

The volume of flow to be used in computing sewer service charges shall be based upon metered water consumption as shown on the records of meter readings maintained by the Town of St. Armand Water Department. In the event that a person discharging wastes into the POTW produces evidence, to the Town Board, demonstrating that a substantial portion of the total amount of metered water does

not reach the POTW, then the Town Board shall either establish a percentage of the total metered water to be used as a basis for such computations, or direct the installation of appropriate flow measuring (and totalizing) devices to measure and record the actual amount of flow into the POTW. In the event that a person discharging wastes into the POTW procures all or part of his water supply from un-metered sources, the Town Board shall either direct the installation of water meters on the other sources of water supply, or direct the installation of appropriate flow measuring devices to measure and record the actual amount of flow into the POTW. Any water meters and/or flow measuring devices installed pursuant to this Section shall be of a type and design acceptable to the Town Board and shall be installed, maintained, and periodically tested as required by the Town Board, at the owner's expense. All such meters and/or flow measuring devices shall be subject to periodic inspection, testing, and reading by the Superintendent. Any person discharging wastes into the POTW may install a flow measuring device at his option, of the type, design, installation, and maintenance standards of the Superintendent, at the owner's expense.

In the event any such meters and/or flow measuring devices shall malfunction, sewer service charges shall be based upon to the document titled St. Armand Water & Sewer Regulations, as adopted and amended from time to time by the Town of St. Armand Board. A copy of said document is on file and available for review with the Town of St. Armand.

Section 1104 - Billing Period

The Billing Period shall be quarterly for all users, with the exception of Bloomingdale Volunteer Fire Department, Bloomingdale School and Norman's Station, which are billed annually.

Section 1105 - Collection of Charges

Provisions of this Law relating to the collection of penalties shall apply to the collection of sewer service charges, unless where otherwise provided by application of the St. Armand Water & Sewer Regulations.

Section 1106- Fiscal Year for System

The POTW shall be operated on the basis of a fiscal year commencing on the first day of January and ending on the thirty-first day of December.

Section 1107- Impact Fees

The Town of St. Armand Board shall have the authority to impose impact fees on new development, which development may:

- (1) - cause enlargement of the service area of the POTW
- (2) - cause increased hydraulic and/or treatment demands on the POTW

Section 1108 - Use of Revenues

Revenues derived from user charges and associated penalties, and impact fees, shall be credited to a special fund. Monies in this fund shall be used exclusively for the following functions:

- (a) For the payment of the operation and maintenance, including repair and replacement costs of the Town of St. Armand POTW,
- (b) For the discovery and correction of inflow and infiltration,
- (c) For the payment of interest on and the amortization of or payment of indebtedness which has been or shall be incurred for the construction or extension of the Town of St. Armand POTW,
- d) For the extension, enlargement, replacement of, and/or additions to the Town of St. Armand Water & Sewer District, including any necessary appurtenances.

Section 1109 - Records and Accounts

The Town of St. Armand shall maintain and keep proper books of records and accounts for the St. Armand Water & Sewer District, separate from all other records and accounts, in which shall be made full and correct entries of all transactions relating to the POTW.

There shall be an annual review of the sewer charge system to determine if it is adequate to meet expenditures for all programs for the coming year.

The Town of St. Armand shall maintain and carry insurance on all physical properties of the POTW, of the kinds and in the amounts normally carried by public utility companies and municipalities engaged in the operation of sewage disposal systems. All moneys received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the property damaged or destroyed.

Article 12 - Public Disclosure of POTW Operations

Section 1201- POTW Operations Open to the Public

Section 1202- Procedural Requirements Available

Section 1203- Validity through Public Inspection

Section 1201- POTW Operations Open to the Public

It shall be the policy of the Town of St. Armand Board to conduct all business with full disclosure to the public.

Section 1202- Procedural Requirements Available

The nature and requirements of all formal procedures for applying for a permit and for requesting a permit under this Law and for requesting a hearing shall be formulated by the Town of St. Armand and be made available to any resident of the Town of St. Armand upon request.

Section 1203- Validity Through Public Inspection

The Town of St. Armand shall formulate procedures to make available to the public for inspection such orders, statements of policy, and interpretations used by the Town of St. Armand in administration of this Law. No rule, regulation, or civil order shall be valid until it has been available for public inspection.

Article 13 - Conflicts, Severability, Effective Date and Applicability

Section 1301- Conflicts

Section 1302- Severability

Section 1303- Effective Date

Section 1304- Applicability

Section 1301- Conflicts

The provisions of any Town of St. Armand law in conflict with any provision of this Law are hereby repealed.

Section 1302- Severability

Each provision of this Law is severable from the others, so that if any provision is held to be illegal or invalid for any reason whatsoever, such illegal or invalid provision shall be severed from this Law which shall nonetheless remain in full force and effect.

Section 1303- Effective Date

This law shall take effect upon filing in the Office of the New York State Secretary of State.

Section 1304- Applicability

All Articles in this Law shall apply to the St. Armand Water & Sewer District.

Town of St. Armand

1702 NYS Route 3

P.O. Box 338

Bloomingtondale, NY 12913

Tel. 518-891-3189 / Fax 518-891-6092 / TTD 711

starmand1903@yahoo.com

www.townofstarmand.com

Supervisor

Davina Winemiller

Deputy Supervisor

D. Joseph Bates

Town Council Members

Donald Amell

Jennifer Fuller

Karl Law

RESOLUTION # 77 OF 2021

A RESOLUTION INTRODUCING PROPOSED
CHANGES TO THE TOWN OF ST. ARMAND'S LOCAL
LAW NO. 3 SEWER ORDINANCE OF 2015

Councilperson Jennifer Fuller, who moved its adoption, offered the following Resolution:

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary.

WHEREAS, the Town Board of the Town of St. Armand hereby introduces the following proposed changes to Local Law NO. 3 OF 2015 entitled "TOWN OF ST. ARMAND LOCAL LAW # 3 SEWER ORDINANCE OF 2015, and provides as follows:

Page 18, Section 307 - Connection to Public Sewer Required, Paragraph 2:

In 2021, the Town Board has moved to consider adopting new Water and Sewer District boundaries in order to apply for grant funds to connect un-sewered streets. The new St. Armand Water and Sewer District is further defined by Map # 61521 and the Metes and Bounds Description for Map # 61521 which can be viewed in the office of the Town Clerk. The property owners that will be newly included in the Water and Sewer District will not be held to the requirements of Section 307, above, until such time as the St. Armand Wastewater District is able to connect each property /home to the sewer mains at no cost to the property owner. Further, the property owners who will be newly brought into the District will not be required to contribute to the Sewer Debt service until such time as public sewer is available to the subject parcel. Once new sewer mains are installed in the expansion area, the property owners will be required to connect, per Section 307 above and all parcels will be charged sewer debt in accordance to the St. Armand Wastewater Rules & Regulations.

Page 20, Section 401 – Public Sewer Unavailable – Private Wastewater Disposal Required, Paragraph 2:

Once the Water and Sewer District Boundaries have been adopted, no new private septic systems may be installed within the St. Armand Water and Sewer District Boundaries without a Resolution of Approval from the Town Board. Property owners who wish to install a private septic system must submit an application to the Code Enforcement Officer for approval. The Code Enforcement Officer will provide the Town Board members a copy of the building permit and septic permit application and will make recommendations to the Town Board. In order for a new septic permit to be issued, the Town Board must approve, by Resolution, the application for a new septic system. A copy of the Resolution must be filed with the Building Permit application and the property owner must be given a copy of the Resolution for their records, and

This Institution is an equal opportunity provider, and employer. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W. Washington, D.C., 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD)

WHEREAS, all other existing sections of the Town of St. Armand's Local Law NO. 3 Sewer Ordinance of 2015, shall remain unchanged, and

WHEREAS, the proposed changes were reviewed by Daniel T. Tedford, County Attorney.

SECTION I - ADOPTION:

This proposed change to local law is pursuant to the authority granted the municipality in Section X of the Municipal Home Rule Law and in Section 140(6) of the Town Law.

SECTION II - SEVERABILITY:

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not impair, affect, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION III - EFFECTIVE DATE:

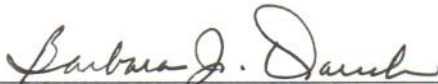
The proposed changes to this local law shall take effect immediately upon filing with the Secretary of State.

BE IT FURTHER RESOLVED that a Public Hearing was conducted by the Town Board of the Town of St. Armand on the foregoing introduction of proposed changes to Local Law No. 3/Sewer Ordinance of 2015 on the 30th day of November 30, 2021, at 6:00 pm at the Town of St. Armand Town Hall, 1702 NYS Route 3, Bloomingdale, NY, to hear any and all persons concerning the same.

BE IT FURTHER RESOLVED that the Clerk of the Town of St. Armand did publish a notice of such hearing the designated Town newspaper at least five (5) days prior to said hearing.

This Resolution was duly seconded by Councilperson Donald Amell, and adopted by Roll Call vote as follows:

Supervisor Davina Winemiller	AYE
Deputy Supervisor D. Joseph Bates	ABSENT
Councilperson Donald Amell	AYE
Councilperson Jennifer Fuller	AYE
Councilperson Karl Law	AYE


Barbara J. Darrah
St. Armand Town Clerk



Dated: November 30, 2021