

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of DUNKIRK
~~Town~~
~~Village~~

Local Law No. 2 of the year 19 85

A local law "1985 Amendments to Local Law No. 1 of the year 1981 entitled
"Sewer Use Law, Town of Dunkirk, New York."

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

~~County~~
~~City~~ of as follows:
~~Town~~
~~Village~~

That the Local Law No. 1 of the year 1981 entitled "Sewer Use Law, Town of Dunkirk, New York" be amended as follows:

Article VII Section 760 (d) LIMITATION ON PERMIT INSURANCE

Cadmium 0.2%

Selenium 0.1%

Article VII Section 780 (b) (3) LOCAL PERTREATMENT OPTION

(3) Require sufficient payment under the terms of a special agreement or arrangement between the town and any industrial concern to cover the town's added cost of accepting, handling and treating the wastes as a condition of the permit. Any such agreement or arrangement shall be subject to any requirements or necessary approval of NYDEC and USEPA. However no such agreement shall circumvent Federal Categorical standards as promulgated by the USEPA of the National Pretreatment Standards.

Add new Section #791 to Article VII entitled: CATEGORICAL STANDARDS When pretreatment regulations are adopted by USEPA or NYSDEC for any industry, then that industry must immediately conform to the USEPA or NYSDEC timetable for adherence to Federal or State pretreatment requirements and any other applicable requirements and any promulgated by USEPA and NYSDEC in accordance with Section 307 of the Clean Water Act. Additionally, such industries shall comply with any more stringent standards necessitated by local conditions as determined by the Town.

Add new Section #792 to Article VII entitled NOTIFICATION OF ACCIDENTAL DISCHARGE An industrial use shall notify the Town immediately upon accidentally discharging wastes in violation of this local law. This notification shall be followed, within 15 days of the date of occurrence by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrence.

Such notification will not relieve users of liability for any expense, loss or damage to the sewer system, treatment plant or treatment process, or for any fines imposed on the Town under applicable State and Federal regulations.

A notice shall be furnished and permanently posted on the industrial user's bulletin board advising employees whom to call in case of an accidental discharge in violation of this local law. Also copies of the local law are to be made available to user's employees.

Add new Section #793 to Article VII entitled: COPY OF RECORDS The Town may inspect and copy any industrial discharge records which are required to be kept on the industrial premises.

Add new Section #1700 to Article X entitled: CONFIDENTIAL INFORMATION
Information and data on a User obtained from reports, questionnaires,
permit applications, permits and monitoring programs and from inspections
shall be available to the public or other governmental agency without
restriction unless the user specifically request and is able to
demonstrate to the satisfaction of the Town that the release of such
information would divulge information, processes or methods of
production entitled to protection as trade secrets of the user.

Add new Section #1800 to Article X entitled: SUSPENSION OF SEWER SERVICE
The Town may suspend the wastewater treatment service when such
suspension is necessary, in the opinion of the Town, in order to stop an
actual or threatened discharge which presents or may present an imminent
or substantial endangerment to the health or welfare of persons, to the
environment, causes interference to the sewage treatment process or
causes the City of Dunkirk to violate any condition of its SPDES Permit.

This Local Law Ammending Local Law No. 1 of the year 1981 entitled Sewer
Use Law of the Town of Dunkirk, New York shall become effective
immediately upon filing in the office of the Secretary of State.

The Town Clerk of the Town of Dunkirk is hereby authorized to publish
notification of the enactment of this Local Law in the Evening Observer
and that the said Local Law be filed with the Secretary of State.

Upon roll call, the following votes were cast:

Supervisor Robert H. Altwies	voting aye
Councilwoman Patricia F. Johnson	voting aye
Councilman Wilfred F. Apps	voting aye
Councilman DAVID T. Rusch	voting aye
Councilman Richard E. Mourer	voting aye

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 19 85
~~COUNTY~~
COUNTY of DUNKIRK was duly passed by the TOWN BOARD
of the Town (Name of Legislative Body)
~~Village~~

on November 6 19 85 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, * or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19
County
City of was duly passed by the (Name of Legislative Body)
Village
on 19 not disapproved
and was approved by the Elective Chief Executive Officer *
repassed after disapproval
and was deemed duly adopted on 19, in accordance with the applicable
provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19
County
City of was duly passed by the (Name of Legislative Body)
Town
Village
on 19 not disapproved
and was approved by the Elective Chief Executive Officer *
repassed after disapproval
on 19. Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive
thereon at the special election held on 19, in accordance with the appli-
cable provisions of law.
general
annual

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19
County
City of was duly passed by the (Name of Legislative Body) On
Town
Village
not disapproved
and was approved by the Elective Chief Executive Officer *
repassed after disapproval
19. Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
19, in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the City of having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on 19 became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. of 19 of the County of State of New York, having been submitted to the Electors at the General Election of November, 19, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph above.

Date: November 6, 1985

(Seal)


Clerk of the ~~County~~ ~~Legislative Body~~ ~~City~~ ~~Town~~ ~~Village~~ ~~Other~~
officer designated by local legislative body

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF CHAUTAUQUE.....

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


.....
Signature
.....TOWN ATTORNEY.....
Title
.....
COUNTY
CITY of DUNKIRK.....
Town
Village

Date: